



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

NYPL RESEARCH LIBRARIES



3 3433 08160082 1

Presented to
NEW YORK PUBLIC LIBRARY

BY
JAMES J. MURPHY

President New York Typographical Union No. 6

April, 1893, to August, 1895

June, 1906, to June, 1908

As a tribute to
Typographical Union No. 6
New York



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----



Our Country is Becoming One Great Field of Debate, and an understanding of the rules of procedure is an essential part of the education of its private citizens, as well as its public men.—O. M. WILSON.

The Legislator and Municipal Officer Needs First a Knowledge of the General Principles of Parliamentary Law; and then he can readily master the rules and practice of the assembly to which he may have been elected.—GEORGE G. CROCKER.

AMERICAN LAW OF ASSEMBLIES

APPLICABLE TO

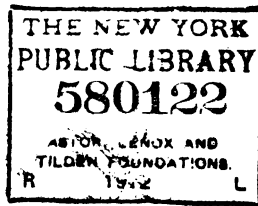
Lodges, Conventions and Public Meetings.

Pertinent Parliamentary Procedure Plainly Presented.

How to so Conduct Meetings as to Quickly Determine and Record the Will of the Majority
Without Injustice to the Minority.

Instructions and Illustrations Which Will Speedily Qualify
Any One of Average Intelligence to Hold His Own on
the Floor, or Act Well His Part in the Chair,
Perplexing Problems (Applicable to Dual-
Assemblies Only) Being Eliminated.

COMPILED AND EDITED BY
ED. A. STEVENS.
MINNEAPOLIS, MINNESOTA.



COPYRIGHT, 1901.—ED. A. STEVENS.

REPRODUCED BY
NATIONAL RESEARCH PRINT
MINNEAPOLIS, MINN.

CONTENTS.

SEE INDEX, FOR DETAILS.

[See, Also, "Ready-Reference Table," and "Notes."]

	Page.
INTRODUCTORY.....	ix
FORMS, EXAMPLES, AND ILLUSTRATIONS.....	xiii
I.....	1
<p>WHAT IS A MOTION?—ORDINARY MAIN MOTION.— "ONE THING AT A TIME."—OBTAINING THE FLOOR.— RECOGNITION, GENERALLY.—RECOGNITION IN LODGES, ETC. —MAKING A MOTION.—ORAL AND WRITTEN MOTIONS.— CLERK MAY "TAKE DOWN" MOTION.</p>	
II.....	9
<p>"MR. CHAIRMAN!"—TO GUIDE, NOT CONTROL, AS- SEMBLY.—OBJECTION TO CONSIDERATION, BRIEFLY TREAT- ED.—APPLIES TO ALL OBNOXIOUS MOTIONS.—REED'S RE- CORDING RULE.—SECONDING THE MOTION.—CONTROL OF MOTION.</p>	
III.....	16
<p>STATING THE QUESTION.—ENTIRE MOTION NEED NOT BE.—"PARLIAMENTARY SUGGESTIONS."—WHEN, HOW AND WHY.—CONSIDERATION OUTLINED.—ILLUSTRATIONS.</p>	
IV.....	22
<p>PUTTING THE QUESTION.—VOTING METHODS.—SILENT ASSENT.—VIVA VOCE.—ACCLAMATION.—SHOW OF HANDS.—"USUAL SIGN."—DIVIDING ASSEMBLY.—ILLUS- TRATIONS.</p>	
V.....	29
<p>ROLL-CALL, OR YEAS AND NAYS.—SUBSTITUTE ROLL- CALL.—BALLOT VOTING.—COUNTING THE BALLOTS AND REPORT.—MAKING INFORMAL BALLOT A FORMAL ONE.— FRENCH SYSTEM.</p>	

iv	CONTENTS.—SEE “FORMS” AND “INDEX.”	
	[See Also, “Ready-Reference Table,” and “Notes.”]	Page.
VI	RULES RELATIVE TO VOTING.—VOTING BY PROXY.—CHANGING A VOTE.—TIE VOTE.—CASTING VOTE.—MAJORITY CAN ACT.—ANNOUNCING RESULT OF VOTE.—RECONSIDERATION IN BRIEF.	37
VII	AMENDATORY MOTIONS.—PRIMARY AMENDMENTS.—SECONDARY AMENDMENTS.—AMENDMENTS MUST BE GERMANE.—AMENDMENT BY ADDITION.—WHY MAIN MOTION PUT, AS AMENDED.—“WORDS INSERTED MUST STAY INSERTED.”—ILLUSTRATIONS.	45
VIII	AMENDMENT BY ELIMINATION.—NEW AND OLD FORM.—“WORDS STRUCK OUT MUST STAY OUT.”—AMENDMENT TO AMENDMENT.—STRIKING OUT ENTIRE SECTION.—ILLUSTRATIONS.	54
IX	AMENDMENT TO “STRIKE OUT AND INSERT.”—WHEN DIVISIBLE.—STRIKE OUT ALL AFTER THE WORD, “RESOLVED.”—“WHAT IS DONE MUST STAY DONE.”—ILLUSTRATIONS.	61
X	AMENDMENT BY “DIVISION OF THE QUESTION.”—“SEE-SAW” PREVENTED.—CHANGING MAJORITY.—WHEN VOTE SHOULD BE DELAYED.—DIVISIONS MUST “MAKE SENSE.”—ILLUSTRATIONS.	68
XI	AMENDMENT BY SUBSTITUTION.—ADHERING AMENDMENTS.—FILLING BLANKS IN “SKELETON MOTIONS.”—AMOUNTS, DATES, NAMES AND PLACES.—ILLUSTRATIONS.	77
XII	NEGATIVE AMENDMENTS.—USE OF THE WORD “NOT,” ETC.—PUTTING THE QUESTION SERIATIM, WHEN AMENDMENTS ARE OFFERED.—SUBSTITUTE MOTION.—ILLUSTRATIONS.	87

[See Also, “Ready-Reference Table,” and “Notes.”] Page.

XIII	93
ABUSE OF AMENDATORY MOTIONS.—ABSURDITIES MAY BE MAGNIFIED.—PURPOSE MAY BE REVERSED.— DILATORY MOTIONS.—CHAIR SHOULD IGNORE THE MOV- ERS.—ILLUSTRATIONS.	
XIV	100
ASSEMBLIES AND ORGANIZATION.—VOLUNTARY, REP- RESENTATIVE, AND LEGAL.—SINGLE OR SIMPLE ORGANIZA- TION.—DOUBLE (NOT DUAL) ORGANIZATION.—TEMPORARY AND PERMANENT ORGANIZATION.—RIGHTS OF ASSEM- BLIES.—ILLUSTRATIONS.	
XV	108
QUORUM.—HOW DETERMINED.—MAJORITY OF, CAN ACT.—LESS THAN A QUORUM MAY ADJOURN AND BIND ASSEMBLY.—ONE MEMBER MAY ADJOURN MEETING.— ORDERLY PROCEDURE.—MINOR BREACHES OF ORDER.	
XVI	114
RELATIVE TO DEBATE.—WHEN “TIME” NOT LIMITED. —“ASSEMBLY MAY PROTECT ITSELF.”—DIVISION OF “REC- OGNITIONS.”—READING A SPEECH.—EXPLANATIONS.— LIMITED DEBATE.—YIELDING THE FLOOR.—ILLUS- TRATIONS.	
XVII	123
QUESTIONS OF ORDER.—RIGHT OF APPEAL.—RELATIVE TO DECORUM.—COMMON IMPROPRIETIES.—INTERRUPTIONS. —CALLING CHAIR TO ORDER.—“TALKING TO THE QUES- TION.”—ILLUSTRATIONS.	
XVIII	131
APPEALS AND PROCEEDINGS THEREON.—CHAIR SUS- TAINED ON TIE-VOTE. — PERSONALITIES. — DISORDER. — WHEN AND HOW WORDS ARE “TAKEN DOWN.”—ILLUS- TRATIONS.	
XIX	137
INQUIRIES AND EXPLANATIONS.—PERSONAL EXPLAN- ATIONS.—QUESTIONING OFFICIALS AND GRAND OFFICERS. —QUESTIONS RELATING TO BUSINESS.—PARLIAMENTARY INQUIRIES.—ILLUSTRATIONS.	

[See Also, “Ready-Reference Table,” and “Notes.”]

Page.

XX.....	145
DISORDER AND DISCIPLINE.—“NAMING A MEMBER.”—EXPLANATIONS, RETRACTIONS AND APOLOGIES.—DETERMINING THE QUESTION.—PERSONALLY INTERESTED MEMBERS TO RETIRE.—PENALTIES FOR DISORDERLY ACTS OR WORDS.—APPLICABLE TO LODGES.—DISMISSING PROCEEDINGS.—MODERN RULE.	
XXI.....	152
CLASSIFICATION OF MOTIONS.—SUBSIDIARY MOTIONS.—GENERAL PROPOSITIONS.—INDEFINITE POSTPONEMENT.—USE AND ABUSE OF MOTION.—DEBATE RULE ON INDEFINITE POSTPONEMENT.—AMENDATORY MOTIONS.	
XXII.....	160
DIVIDING THE QUESTION.—“TREATED AS AN AMENDMENT.”—HOW IT WORKS.—REED’S ILLUSTRATION.—COMMITMENT OUTLINED.—DEFINITE POSTPONEMENT.—SAME, WHEN NOT IN ORDER.—ILLUSTRATIONS.	
XXIII.....	168
THE PREVIOUS QUESTION.—NEW AND OLD FORM.—HOW APPLIED.—MAJORITY VOTE IS SUFFICIENT.—CONFLICT OF AUTHORITY.—ENGLISH FORM.—ENGLISH “CLOSURE RULE.”—ILLUSTRATIONS.	
XXIV.....	176
• TABLING A MOTION.—A POWERFUL WEAPON.—WHEN AND HOW USED.—CONDITIONAL TABLING.—“SUBJECT TO CALL.”—“UNTIL A CERTAIN TIME,” NOT PROPER.—INCIDENTAL MOTIONS.—OBJECTIONS.—ILLUSTRATIONS.	
XXV.....	148
READING OF PAPERS.—UNDER CONSIDERATION.—NOT UNDER CONSIDERATION.—WITHDRAWAL OF MOTION.—SUSPENSION OF RULES.—TWO-THIRDS VOTE REQUIRED.—ILLUSTRATIONS.	
XXVI.....	191
PRIVILEGED MOTIONS.—“HAVE THE RIGHT OF WAY.”—WHEN AND HOW MOVED.—ORDERS OF THE DAY.—SPECIAL ORDERS.—LEGISLATIVE VS. LODGE-RULE.—DISTINCTION BETWEEN GENERAL AND SPECIAL ORDERS.—ILLUSTRATIONS.	

[See Also, “Ready-Reference Table,” and “Notes.”]

Page.

XXVII.....	197
------------	-----

QUESTIONS OF PRIVILEGE.—SUMMARY PROCEEDINGS.—
“MEETINGS” AND “SESSIONS.”—RECESS MOTIONS.—AB-
JOURNMENT TO A FIXED TIME.—WHEN MOTIONS TO AD-
JOURN NOT IN ORDER.—ILLUSTRATIONS.

XXVIII.....	204
-------------	-----

ADJOURNMENT, TO TIME CERTAIN.—FIXING TIME FOR
RE-ASSEMBLING. — DISSOLUTION OF ASSEMBLY. — AD-
JOURNMENT GENERALLY.—EMERGENCY MOTIONS.—AUTO-
CRATIC POWERS OF CHAIRMAN.—ILLUSTRATIONS.

XXIX.....	212
-----------	-----

MISCELLANEOUS. MOTIONS.—RECONSIDERATION IN DE-
TAIL.—PECULIARITIES.—TO RESCIND, ANNUL OR EXPUNGE
FORMER PROCEEDINGS.—ASSEMBLY RECORDS.—AMEND-
MENTS, HOW NOTED.—ILLUSTRATIONS.

XXX.....	222
----------	-----

TAKING MOTION FROM THE TABLE.—TAKING UP
QUESTION OUT OF REGULAR ORDER.—RELATIVE TO VOT-
ING.—TWO-THIRDS RULE.—APPLICABLE TO “UNUSUAL”
MOTIONS ONLY.—CONSENSUS OF OPINION.

XXXI.....	230
-----------	-----

DIVISION OF THE QUESTION, RE-STATE.—DUPLEX
MOTIONS. — TABLING RECONSIDERATION. — RECONSIDERA-
TION AND PREVIOUS QUESTION.—MAIN MOTION AND ROLL
CALL.—METHODS OF CONSIDERATION.—HOW, WHEN, AND
TIME ALLOWANCE.—CONSIDERATION BY PARAGRAPHS.—
ILLUSTRATIONS.

XXXII.....	240
------------	-----

REFERENCE TO COMMITTEES.—WITH OR WITHOUT IN-
STRUCTIONS.—ABUSE OF COMMITMENT.—APPOINTMENT
OF COMMITTEES.—COMMITTEE MEETINGS AND PROCEED-
INGS.—PREPARATION OF REPORTS.

XXXIII.....	251
-------------	-----

REPORTS OF COMMITTEES.—“RECEPTION” OF REPORTS.
—WHEN TO “ACCEPT,” “APPROVE,” OR “ADOPT.”—RECOM-
MENDATIONS.—CONSIDERATION OF REPORTS.—COMMITTEE
AMENDMENTS.—MAJORITY AND MINORITY REPORTS.—IL-
LUSTRATIONS.

[See Also, “Ready-Reference Table,” and “Notes.”] Page.

XXXIV.....	261
COMMITTEE OF THE WHOLE.—GENERAL PROCEDURE.— MEASURES, HOW CONSIDERED.—“RISING” AND “REPORT- ING.”—AVOIDING A REPORT.—DISTURBANCES IN COMMIT- TEE.—INFORMAL CONSIDERATION.—ILLUSTRATIONS.	
XXXV.....	270
SPECIAL ORDERS, IN BRIEF.—WHAT AN “ORDER” IS. —HOW BROUGHT UP.—ABUSE OF DEFINITE POSTPONE- MENT.—RELATING TO RULES.—ORDER OF BUSINESS.—UN- FINISHED BUSINESS.—ILLUSTRATIONS.	
XXXVI.....	277
PETITIONS AND COMMUNICATIONS.—REMONSTRANCES. —WHEN COMMUNICATIONS NOT TO BE READ.—LODGE PRACTICE.—CONFERENCE REPORT MOTIONS.—TO CONCUR. —TO NON-CONCUR.—TO RECEDE.—TO INSIST.—TO AD- HERE.	
XXXVII.....	285
USE AND ABUSE OF MOTIONS.—TO INTRODUCE A MEASURE.—TO SUPPRESS CONSIDERATION.—TO SUPPRESS THE MEASURE.—TO MODIFY OR PERFECT.—TO EXPEDITE BUSINESS.—TO SUPPRESS DEBATE.	
XXXVIII.....	292
MOTIONS TO DEFER ACTION.—PRACTICE VS. THEORY.— SUGGESTIONS TO “FRIENDS OF THE MEASURE.”—DANGER- OUS MINORITIES.—MOTIONS TO RESUME CONSIDERATION. —TO DISPOSE OF PART OF MEASURE, AND CONSIDER THE BALANCE.—TO ANNUL FORMER ACTION.—CONCLUDING “NOTE.”	
PARLIAMENTARY READY-REFERENCE TABLE.....	299
TABLE-NOTES.....	313
INDEX.....	321

“Some judges have been of the opinion that the journals of the assembly are not records, but only remembrances; but this is not the law.”—JEFFERSON.

INTRODUCTORY.

"Parliamentary Law" is so called because the rules and usages for the government of a deliberative body were first reduced to a system in the English Parliament. While many of the landmarks of the English system remain, it is not recognized in this country, having been greatly modified by the Congress and other legislative bodies. This system is simplicity itself as compared with the parent system;—the legislative law of to-day not being a cumbersome mass of arbitrary rules, but a system which is plain, flexible, easily mastered and readily understood, by those who commence at the right end—that is, at the beginning.

The American Legislative System, however, is also designed for bodies which have two branches, (an "upper" and a "lower,") and has many rules made necessary because of required co-operation; as well as many which are specially applicable only in assemblies holding continuous sessions, and in which many intervals occur between the introduction of a measure and final action thereon.

Because of the necessities of a case, a still simpler system has grown up which is specially adapted to the wants of Independent Assemblies (not of the dual order) such as lodges, conventions and miscellaneous gatherings; the legislative system being so modified as to enable measures to be promptly disposed of—generally on the day (and often at the time) of their introduction. To this end, unnecessary "red-tape" has been dispensed with, and rules of no real benefit eliminated; while other rules have been so modified as to better enable so-called minor assemblies to govern themselves.

"Parliamentary Manuals" are not books of instruction for beginners; but, as Ready-Reference Books, often serve to settle disputes. They enable "one who knows" to refresh his memory. Writers assume that the reader is already versed in the rudiments; they ignore the primary department and start with the high school. More than that, they too often dwell on strict legislative practice, and dodge the modifications; and, if they refer to both, seldom point out which is which.

In the language of Ex-Speaker REED, "a beginner does not know the simpler things and needs them most. If the student has once fixed in his mind the idea that parliamentary law is not a series of arbitrary rules—but a plain consistent system, founded on common sense, and sanctioned by the experience of mankind—he will have gone far towards understanding it." The mere "letter" of the law will help the student little, if he does not grasp its "spirit." To understand even "the simpler things," he must learn his A, B, C's. He must make sure of his foundation; and the foundation of all knowledge is in the primary department.

The purpose of these Lessons in the "American Law of Assemblies" is to instruct—not bewilder; to commence at the bottom and build upward; to assist the student to acquire a knowledge, not only of the law itself, but of the basis upon which the superstructure rests. In other words, to point out, not only the *How!* but the *WHY!* the *WHEN!* and the *WHERE!* To this end, they are, in the main, confined to the law applicable to ordinary gatherings—to the every-day single assembly—instead of the more complex legislative system. Nothing will be found herein, however, which the legislator does not need to know. Even the legis-

lator needs first to be well-grounded in general principles—then he can easily master the special rules and practice of the dual-assembly.

“Instruction” being the object in view, topics are discussed in their logical order, regardless of their so-called “classified order” for reference purposes. Frequently, one topic is divided, and taken up in installments, when the student is prepared for them. Sometimes, a statement is iterated and reiterated, in order the better to impress it on the student’s mind. In like manner, the duties of the presiding officer accompany the topics, instead of being grouped in one lesson which few would remember.

The Manuals of modern writers—including those of CUSHING, REED, WAPLES, ROBERT, CROCKER, and a host of lesser lights—have been freely consulted, and many of their best thoughts have been utilized. Generally speaking, writers agree upon what the law is; but they occasionally differ, and, at times, radically. As a rule, when differences exist, a middle-ground, based on the consensus of opinion, has been taken; save when they could not be reconciled, in which cases, both sides are stated, and the reasons are given for the position taken.

At the close will be found a “Parliamentary Ready-Reference Table,” with notes, which (together with the many “Forms and Illustrations”) will be found useful, not only by beginners, but by advanced students who wish to refresh the memory. Over one thousand questions are answered therein; embracing nearly all questions likely to arise. Practically it is an ordinary “Manual,” condensed to less than a score of pages.

"The enormous number of social and deliberative assemblies, which are not legislative in character, must have some definite plan of procedure. In all such bodies there arise numerous cases involving doubt as to the correct rule."—
AINSWORTH.

FORMS, EXAMPLES AND ILLUSTRATIONS.

[See, Also, "Ready-Reference Table," and "Index."]

[FIGURES REFER TO PAGE NUMBERS.]

ABUSE OF AMENDATORY MOTIONS.—Illustrations, 95-97; Dila-
tory Motions, 97-99.

ADJOURNMENT.—Not in Order, 203; To Fixed Time, 202; To
Time Certain, 204; Fixing Time for Re-Assembling, 205;
Fixing time for Adjournment, 206; Dissolution of Assem-
bly, 207; Notice of Reconsideration of Another Motion,
203; By Chairman, Clerk or Member, When No Quorum,
109; Example for Lodges, 110; When Ordinary Main Mo-
tion, 206.

AMENDMENTS.—Common Forms, 46-49; By Addition, or In-
sertion, with Illustrations, 50-52; By Elimination, or Strik-
ing Out, with Illustrations, 54-60; By Striking Out and In-
serting, with Illustrations, 61-66; By Division, with Illus-
trations, 69-76; By Substitution, 77; Use of the Word
"Not," with Illustrations, 87, 88; Putting Question Seria-
tim, on Amendments and Main Motion, 89.

APPEAL.—Right of, 124; Form, with Illustration, 132; Tie
Vote, Chair Sustained, 134.

ASSEMBLIES.—Formula for Simple (or Single) Organization,
103; Double Organization—Temporary and Permanent, 105-
108.

CLASSIFICATION OF MOTIONS.—General, 153; Subsidiary, or
Secondary, 154; Incidental, 181; Privileged, 192; Miscel-
laneous (Not Otherwise Classified), 212; Classified Ac-
cording to Purposes and Uses, Lessons 37 and 38.

COMMITTEES AND COMMITMENT.—Appointment, 245; Chairman,
246; Forms of Commitment, 164; Stating Question, 165;
Instructions, 242.

COMMITTEE OF THE WHOLE.—To Resolve Into, 261; Chairman,
262; Motions in, 263; Reports, 267.

[See Also, "Ready-Reference Table," and "Notes."]

CONFERENCE REPORT MOTIONS.—When and How to Use Them, 281.

DEBATES.—When Time Unlimited, 115; Confined to Pending Motion, 116; Dividing Recognitions, 117; General Explanations, 119; Yielding the Floor, with Illustration, 120; Regulating, 237; Suppressing, 290.

DISORDER.—Words and Acts "Taken Down by Clerk," 135, 145, 148; General Charge, "Disorderly Conduct," 136, 146; Procedure, 145; "Naming a Member," 145; Explanations, Retractions, Disclaimers and Apologies, 136, 146; "Shall the Words Stand?" 146; Determining the Question, 146; Penalty, 147; Dismissal of Proceedings, 148; Condonement, 150; Applicable to Lodges.

DIVISION OF THE QUESTION.—General Form, and Illustration, 160, 161; Substitute, 162.

DUPLEX-MOTIONS.—"Two at a Time," 230; How Made, 230; Reconsideration Proof, 231.

EMERGENCY MOTIONS.—General, 209; Disorder, 210; Adjournment Without a Motion, 211.

FILLING BLANKS, IN "SKELETON MOTIONS."—By "Suggestions," 80; Blank Amounts, with Illustrations, 81; Blank Dates, Illustrated, 81; Name and Place, with Illustrations, 83.

INFORMAL CONSIDERATION.—Chairman, 268; Motions During, 268; Determining On, 237.

INQUIRIES AND EXPLANATIONS.—Personal Explanations, with Illustrations, 138; Questioning Officers and Grand Officers, 140; Business Procedure, with Illustrations, 141; Parliamentary Inquiries, with Illustration, 143; Lodge Illustration, 143.

MEASURE.—To Introduce, 285; To Modify or Perfect, 287; To Suppress, 287; To Defer Action on, 292; To Expedite, 288.

METHODS OF CONSIDERATION.—Fixing, Extending and Limiting Time For, 234; Whether in Assembly, Committee of the

[See Also, "Ready-Reference Table," and "Notes."]

Whole, or Informal, 234; By Paragraphs, 238; To Suppress, 286; To Resume, 296.

MINUTES.—Approving and Correcting, 219-221; To Rescind, Annul or Expunge, 218.

OBJECTION TO CONSIDERATION.—When and How, 11, 183; Form, 12; Putting Question of, and Vote, 12.

ORDER OF BUSINESS.—General, 275.

ORDERS OF THE DAY.—[In Lodges, "Unfinished Business."]
Right of Way, 193.

ORDINARY MAIN MOTION.—Obtaining the Floor, 3; Noticing a Member, 3; Overlooking, 3; Recognition, 4; Making a Motion, 6; Seconding, 15; Stating the Question, 16; Incorrect Forms of Motion, 17; Preliminary—"Are You Ready?" 21; Putting the Question, 22, 23; Taking the Vote, 23, 41; Announcing the Result, 42; When "Division Is Called For, 42; Announcing the Result, After Division, 42; Reconsideration, 44, 213.

PARLIAMENTARY EXPLANATIONS.—Form and Illustration, 138.

PARLIAMENTARY INQUIRIES.—Form and Illustration, 143; Lodge Illustration, 143.

PARLIAMENTARY SUGGESTIONS.—Form and Illustration, 19; Detailed Illustration, 20.

PETITIONS AND COMMUNICATIONS.—Received and Not Received, 277; Not to be Read, 278.

POSTPONEMENT.—Definite, Ordinary Form, 166; Abuse of Definite, 273; Indefinite, 157; Effect of, 157.

PREVIOUS QUESTION.—General Formula Illustrated, 169; Old Form, 170; How It Works, 172; English Method, 174.

QUESTIONS OF ORDER.—Calling Member to Order, and Illustrations, 123; Improprieties, 124; Interruptions, 128; Calling Chair to Order, 129; Minor Personalities, 134.

QUESTIONS OF PRIVILEGE.—Relating to Assembly, with Illustrations, 197-199; Relating to Member, with Illustrations, 197, 198.

[See Also, "Ready-Reference Table," and "Notes."

READING OF PAPERS.—Call-Motion, 184; Illustration, 185.

RECESS MOTIONS.—Three Forms, 202.

RECONSIDERATION.—General, 44, 213; Form and Vote, 216; In an Emergency, 214; Notice of Motion, 203, 217.

REPORTS OF COMMITTEES.—Receiving, 251; Accepting, Approving or Adopting, 252; Amendments Reported, 256; Majority and Minority Reports, 259.

SPECIAL ORDERS.—Call Illustrated, 195; Detailed Illustrations, 271.

SPECIAL RULES.—Adoption of, 274.

SUBSTITUTE MOTIONS.—When and How, Illustrated, 90-92.

SUSPENDING THE RULES.—When and How, 188; Form, 189.

TABLING A MOTION.—Perfect Form, 177; Form and Illustrations, 178.

TABLING MOTION, SUBJECT TO CALL.—General Formula, 179.

TAKING MOTION FROM TABLE.—When and How, 222; When Tabled, "Subject to Call," 223.

TAKE UP OUT OF REGULAR ORDER.—General Form, 224. [Practically, a Suspension of the Rules.]

VOTING METHODS.—Silent Assent, 25; Viva Voce, 25; Acclamation, 26; Show of Hands, 27; "Usual Sign," 27; Dividing the Assembly, 27; Roll-Call, or Yeas and Nays, 30; Substitute Roll-Call, 31; Convention Formula, 32; Ballot and "Secret Ballot," 32; Closing Nominations, 33; Counting and Reporting, 35; Informal Ballot Made Formal, 35; French System, 36; Majority Rule, and Two-Thirds Rule, 225; Unusual Motions, 227.

WITHDRAWAL OF MOTION.—By Mover, 15, 187; Seconder's Consent Not Needed, 15, 187; Formula, 187.

It is Not Necessary for Every One to Become an Expert Parliamentarian, but certain fundamentals of parliamentary procedure should be familiar to every one.—H. R. SHATTUCK.

AMERICAN LAW OF ASSEMBLIES.

PARLIAMENTARY LODGE - LAW.

97

NOTE.—When these Lessons are used in an Assembly, for Class-Instruction, one Lesson should be read at a meeting (not necessarily by the Secretary), in a clear and distinct tone, and be followed by a short discussion on the topics contained in such lesson (if any members are in doubt), but not on topics not yet reached. Later, it will be well to have Short Parliamentary Drills—for Instruction, not for Mischief—the members alternating as “Mr. Chairman.”—EDITOR.

AMERICAN LAW OF ASSEMBLIES

For Lodges and Public Meetings.

LESSON I.

Parliamentary Law is No Longer Vague and Uncertain. It is now a branch of the common law, and as well settled as any other. It may be known and determined beforehand, with facility and certainty.—LUTHER S. CUSHING.

ORDINARY MAIN MOTION.

“Action” begins with “Motions.” Let us ascertain what a motion is—the “motion” by which a measure is presented to an Assembly.

When a “Proposition,” or measure, is presented to an Assembly it is called a “Motion” if it relates to petty affairs; and a “Resolution” if of supposedly greater importance. They differ only in name;—each is an “Ordinary Main Motion,” and governed by the same rules.

An “Ordinary Main Motion,” sometimes called the “principal motion” or “principal question,”—and for convenience, the “Main Motion,” or “Original Motion,”—“Takes Precedence” of Nothing!

It can only be presented when the Assembly is prepared to transact business, and when no other question (or business) is pending;—and, if the Assembly has an “Order of Business,” only when the proper “order” is reached.

Why? Because “One Thing at a Time, and Everything in its Order!” is a fundamental rule.

The Main Motion must comport with the Purposes of the Assembly, as stated in its call or rules. Its time “must not frittered away on topics foreign to its purposes;” a meeting to devise methods for the relief of the poor is not to discuss the fashions of the day,—politics are out of place in a non-political assembly,—and religious topics are seldom in order in a political convention.

When a Main Motion (or any motion) is decided, it is not to be again presented on the same day; even if no other business is at hand. The Assembly is presumed to have “considered” it before reaching a decision; and, having done so, no time should be wasted.

The rule is that “What is Done Must Stay Done!” Otherwise, little progress might be made;—other methods provide how Mistakes may be rectified.

The rule that a motion shall not again be presented on the same day applies also to an Equivalent motion. If the purport is the same, the motion is; and the mere change of the words used will not change the

motion itself. On the other hand, the words may be the same and the motion different, because of changed conditions ;—a motion to “proceed with initiation,” when no candidate is present, is not the same motion after the candidate arrives.

OBTAINING THE FLOOR.

An Ordinary Main Motion is the “First Step Toward Action.” The “Mover,” or member who “starts the motion,” must first “Obtain the Floor.” To do this, he must Rise, when no question is pending and when no other member has risen—because of “one thing at a time,”—Face the Chair, and Raise his Hand. He does this to show that he “Desires to be Noticed,” since he may be simply changing his position.

When “Noticed” by the Chair—not Orally, but by a Glance, a Nod, or a Wave of the Hand—he should at once say, “Mr. Chairman!” remain standing, and await “Recognition.” When “Recognized,” he has “obtained the floor.” [Of course, the proper title is to be used, if “Mr. Chairman” is not authorized.]

The Chair is presumed to be impartial and to treat all members alike ;—a violent presumption at times, especially in a political gathering. He should remember that the rule is “First Up, First Recognized,”—and make an exception when “fair play” demands it.

A fair Chairman may “Overlook” a member, but will not “Ignore” him. If an unfair Chairman does

so, the member must not suggest, much less charge, that he was intentionally "ignored." Some Chairmen are "near-sighted" while others are so "far-sighted" as to frequently "overlook" members who should be "noticed."

It must be borne in mind that when two rise and one is "noticed" the other is not even "overlooked"—but, ordinarily, he should be the next one "noticed," even though another rise first.

RECOGNITION.

"Recognition" depends largely on the surroundings. In some assemblies the use of names is to be avoided, and a member mentioned as—

"The gentleman from——."

Or, "the gentleman on my right."

Or, "that gentleman," (designating him by a motion of the head or hand, or by other impersonal words).

The purpose is to avoid invidious distinctions and high-sounding titles, since all are on one footing.

If titles are used, they should be uniform, as "Senator," "Representative," "Alderman," "Mister," etc.,—not "Senator," "Judge," "General," "That Man," "Mister," and "You," in the same gathering.

When, as in a convention, the Chair knows few of the members, he should avoid the use of names. When names are used, if he has occasion to "notice" a member whose name is unknown, he should, before

"recognition," ask "Name, please?" and then recognize him by name.

In Lodges it is proper to say "Brother —," or "Sister —," or other authorized prefix; and in local gatherings (wherein those present are presumably known to one another) the term "Mr. —" is proper. In any event, the same general term is, when practicable, to be applied to all members.

Officers (and Grand Officers, when officially present,) should be addressed and spoken of by their proper titles, and so spoken of in their absence; but a Grand Officer, when attending his own Lodge as a member, is to be addressed as are other members.

A Past Officer—especially when in his own Assembly—should be mentioned as "Brother —," or other ordinary term, and not as "Past This" or "Past Grand That;" unless performing some special function which may render the distinction proper.

By courtesy, Visitors (who are practically guests) may be addressed or mentioned by their present or past official titles.

In a few words, all members of the Lodge itself, not actually holding office therein, are on the same level. That is the American doctrine of Equality, and applies to all Assemblies, legislative or otherwise.

MAKING THE MOTION.

When "Recognized" by the Chair, a member should at once present his motion (in as few words as

practicable—and, generally, without explanation) and take his seat.

There is no special form for making a motion, essentials being the main thing—not the particular words; but the words must be such as to show what is desired. Incidentally it may be stated that the Law of Assemblies in but few cases provides an arbitrary formula; and that common forms for main motions are:

“I move that—,” [stating what.]

Or, “I move the adoption of the following: Resolved,” etc.—reading it and handing it to the Clerk;

Or, “I offer the following, which the Clerk will please read.”

It is not proper to say, “I move you that,” or, “I motion you that,” etc. Nor to say “I beg leave to offer——.” If the member has been “recognized” he needs no further permission to make a proper motion—and he cannot obtain leave to make an improper one.

Subject to “Objection,” (or, “By Courtesy” only, —that is, “notwithstanding the rule,”) the mover (before or after making his motion—and before it is seconded,) may explain its purpose.

He is only to so explain when the Chair is satisfied that time will be saved thereby.

Any member may require the the enforcement of the strict rule, which forbids either “explanation” or “argument” before a motion is “Stated by the Chair.”

If a member is not "noticed,"—no other being "recognized,"—he may, without notice, say "Mr. Chairman!" and await recognition; but (if another member has also risen) he must not do so before a chance for the recognition of the other is given.

When a member is satisfied, not only that he is unfairly treated, but that the Assembly thinks likewise, he may "obtain the floor" on a "Point of Order"—not that he was "ignored," as that would be a "reflection on the Chair," but that he is "entitled to the floor, but was 'overlooked' by the Chair."

MOTIONS—WHEN IN WRITING.

Every Main Motion (the proposition itself—not the motion to adopt it) in legislative and other assemblies, wherein proceedings are recorded in detail, must be in writing; but, in assemblies in which only the substance is to be recorded, it is largely a matter of usage—at the discretion of the Chair and of the Assembly itself.

The general custom is to permit the Chair to entertain any oral motion which can be readily stated by the Chair and recorded by the Clerk.

The Chair may even permit lengthy motions to be "Taken Down" by the Clerk, if time will allow and no member objects; but, if objection is made, the motion must be reduced to writing and the member "loses the floor,"—unless the Assembly is willing to wait, and allows it to be "taken down."

Routine Motions—to be explained herein later—need not be in writing. Nor motions which can be stated verbatim—nor any other motion, if the Assembly so directs.

The object of the rule is to compel members introducing lengthy propositions to prepare them in advance and not take up the time of the Assembly. When there will be no considerable delay (as there cannot be if the motion is short) no necessity exists for its strict enforcement; yet it may be enforced, especially when other business is pressing—or the hour is late.

When in writing, the motion may be read by the mover before being handed to the Clerk, but ordinarily should not be—because (even though so read) any member may require it read once by the Clerk, “as more likely to be heard.”

An Oral Motion should be “taken down” by the Clerk at once—before it is stated; and erased, (as a written one should be,) if it is not stated. After it is taken down, any member may require it to be read, to the end that it be correctly recorded.

NOTE.—Necessarily, many terms (such as “Objection,” “Stated,” “Point of Order,” “Appeal,” etc.,) are used in advance of their explanation; as other terms will be in subsequent Lessons. They will be fully explained at the proper times.

LESSON II.

As the "Mouth of the Assembly" the Presiding Officer Communicates its Thanks and Expresses its Censure, its Reprimands and its Admonitions. He is in fact the representative of the assembly itself, in its powers, its proceedings, and its dignity.—MAY.

"MR. CHAIRMAN."

An old-time English writer says: "The Chairman is not only the Mouth, but the Eyes and Ears of the Assembly; but he hath neither eyes to see, ears to hear, nor mouth to speak, but as the Assembly shall direct him."

When any question (calling for a ruling) is raised, the Chair should rule promptly, and if any member is aggrieved he can "appeal to the Assembly." The Chair must see that no time is wasted, and not allow business to proceed in a slipshod manner. He should be "quick of eye to note who rises, quick of speech to declare him entitled to the floor, and preserve his temper," regardless of surroundings.

While the Chair is to "guide the Assembly," he is "not in absolute control." He should seldom "air his views," or make a show of his supposed ability. If of real ability the members have discovered it, or will;—and, if he only thinks so, he should not masquerade. Under all circumstances, he should be ab-

solutely fair; even though the Assembly itself be influenced more by its interest in the pending measure than in enforcing correct practice in disposing of it.

Necessarily, the Chair has large discretion—subject to the will of the Assembly—in entertaining motions, etc., and should so use it as to expedite business. No trivial, absurd or unbecoming motion is to be entertained; nor should one be made in the form of an argument, or contain irrelevant or redundant matter—but a motion, entertained and debated without objection, cannot later be declared out of order because of its form.

When a motion is manifestly improper—because not in keeping with the Purposes of the Assembly, or otherwise plainly out of order—the Chair should not wait for members to object, but promptly rule it out “of his own motion.” He should do so before the whole motion is made, if quite lengthy; but, in all cases, he should give the mover “the benefit of any reasonable doubt.”

At any time when “Objection” is made, (on a “Point of Order,”) the Chair must rule—for or against the objection—subject to an “Appeal” to the Assembly. He can only rule out a motion, “of his own motion,” before he “States the Question.” After that it is too late for him to act. He has “had his day,” and the motion is now under control of the Assembly itself.

OBJECTION TO CONSIDERATION.

The peculiar motion known as "Objection to Consideration" is mentioned here, since here is the place to make it—that is, before the main motion is fully made, if practicable. The term must not be confounded with the ordinary "objection" by "point of order." That pertains to form, method or time, and sometimes propriety, while an "objection to consideration" is aimed at the subject-matter itself, its purpose being to exclude a motion which is obnoxious in itself, and to avoid scandal, vile statements or abuse of privilege. In the language of Col. ROBERT, a well known authority:

"The object of this motion is not to cut off debate (for which other motions are provided) but to enable the Assembly to avoid altogether any question which it may deem irrelevant, unprofitable or contentious."

He adds:

"It is only in order when the principal motion is first introduced—before it has been debated—and can be made while another member has the floor; and does not require a second."

WHEN AND HOW MADE.

"Objection to Consideration" should be made, if at all, before the question is "stated;" but may be made immediately afterwards or before any debate has been had. After debate has been entered upon, this method of suppressing the question is no longer available.

When, in the opinion of the Chair, the main motion is manifestly obnoxious, he should rule it out, of his own motion, and stop its further reading.

If the Chair fails to act, any member may rise, and, without notice or recognition, at once (even though interrupting the mover or the reading of the motion) say :

"Mr. Chairman: On that I raise the question of consideration!"

Or, "I object to consideration!"

He must at once take his seat, without giving any reason for raising the question, since the language of the main motion will speak for itself, if really obnoxious.

The Chair, without waiting for a second, and without debate or comment, must (unless the motion is at once withdrawn) immediately put the question. The ordinary form is :

"The question of consideration is raised. Shall the question be considered? [No pause.] All in favor of consideration, will say Aye! Contrary, No!"

Or, "The gentleman raises the question of consideration. As many as are in favor of consideration," etc.

If two-thirds of those voting vote "No !" the motion is not to be considered. If less than two-thirds vote "No!" no record is to be made of the objection, nor of the vote thereon, and the main motion is to be at once stated and considered.

If the objection is sustained (the main motion not having been stated) no record is to be made of the

presentation of the main motion, nor of proceedings thereon—that being the special purpose of “objection” in this form.

The rule is that a motion is not the property of the Assembly until stated, and therefore not to be entered on the minutes; and it would be absurd to exclude the main motion and yet make a record of the objection.

If, however, the objection is made after the main motion has been stated, and the objection is then sustained, the record should show the facts, because the main motion has become the property of the Assembly.

Even then, the Assembly might, by vote, direct the Clerk to omit the facts from the record—because an attack upon decency and orderly procedure—and, in such a case, the Clerk would also be required to omit the motion directing him what to do.

REED'S RECORDING RULE.

Incidentally, Ex-Speaker REED'S “Record-Rule” may be of interest. It is as follows:

“What has been proposed and not regularly presented or acted upon, and what has been said which has not resulted in any act—either of endorsement, [consideration] or rejection—has no place on the journal. Such is the strict rule, and should always be followed.”

It should be remembered that “regularly” means “properly,” and that “rejection” comes after “consideration”—never before.

[To prevent misunderstanding, it may be stated, out of its proper order, that an exception to the rule obtains when words are to be "taken down" to enforce discipline.]

It is commonly said that "objection to consideration can only be made to a main motion and not to other motions." This is so, as a general proposition; but a proposed amendment which is, in itself, obnoxious, can be objected to in the same manner, before it is stated, and like proceedings had. They have no effect on the main motion; if the objection is sustained, the amendment is disposed of, and, if not, it is still before the Assembly.

In the national House of Representatives, by a special rule and not by general parliamentary law, "objection to consideration" may be made, not only to obnoxious motions, but to any question before its consideration has been entered upon. In the absence of a special rule it must be confined to obnoxious motions—in theory at least.

SECONDING THE MOTION.

The "Second Step Toward Action" is "Seconding the Motion," which must be done before the main motion is "stated;" because if it have only one supporter—that is, no second supporter—it is useless to devote any time to its discussion. An exception is

made with mere routine motions, and motions manifestly having support ; and such motions require no seconding.

In Seconding a Motion a member should rise, face the Chair and (without delay or notice) say : "Mr. Chairman !" and await Recognition. Then add "I second the motion !" and take his seat, without explanation or remark. No delay is necessary, because the Chair is awaiting a second, and the conditions suggest the purpose of the member.

If no seconder, the Chair may ignore the motion—not the mover. Ordinarily, however, he will ask "Is the motion seconded?" or, he may treat it as seconded by himself.

Until a motion has been "stated" the Mover Has Control of it, and may Modify or Withdraw it ; and this without the consent of either seconder or Assembly. When modified, the seconder may withdraw his second; and when withdrawn, the seconder may renew the motion. In either case it must again be seconded.

[The prevalent idea that the consent of the seconder is necessary, for the withdrawal of a motion, is not based on parliamentary law, but on a special rule of the national House of Representatives, which simply requires a vote on the motion to withdraw, when the consent of the seconder is asked and refused.]

"If the Chairman rises to speak, the member standing is to sit down, that he may first be heard."—JEFFERSON.

LESSON III.

A Beginner Does not Know the Simpler Things and Needs Them Most. If the student has once fixed in his mind the idea that parliamentary law is not a series of arbitrary rules—but a plain, consistent system, founded on common sense, and sanctioned by the experience of mankind—he will have gone far toward understanding it.—THOMAS B. REED.

STATING THE QUESTION.

The Main Motion having been “Seconded,” (and, if desired, modified,) the Chair “States the Question” which is the “Third Step Toward Action,” and the mover loses control. The motion is then the property of the Assembly, and can only be withdrawn by consent of the Assembly. When withdrawn, it is not renewable on the same day—withdrawal being “action thereon.”

After the motion (or any amendment thereto) has been voted upon (in whole or in part) it cannot be withdrawn, except by unanimous consent; but it may be quickly gotten out of the way, as we will discover.

There is no arbitrary form for “stating the question,” but it must be fairly and intelligently stated. A common form is:

“The motion is —.” [The Chair should give it in full, if practicable; and, if not, he should give the substance.]

Or, “The question is on the adoption of the motion,” [or “of the motion just read.”]

Or, "The question is on the adoption of the resolutions, which the Clerk will now read." [The Clerk reads them.]

While quite common it is not good form to say, "It is moved and seconded," etc. If not properly "seconded" the Chair would not "state" it. [Nor should the fact that it is seconded be entered on the record; that is presumed.]

Neither is it good form to say, "It is moved by —, and seconded by —, that," etc., for the additional reason that a measure should stand or fall on its merits, and unnecessary prominence should not be given to the names of its supporters.

It sometimes happens that a motion will be more readily described by naming the author, as "The question is on the motion of Brother —. Are you ready for the question?" when it is permissible because it saves time—the important item.

[It may be mentioned here, somewhat in advance, that the same rules apply to the "stating" of all motions.]

An Entire Motion need not be stated (if the substance will suffice) unless objections made. An "entire motion" is the then pending motion, and not necessarily the proposition itself.

Suppose a proposition to have been reported upon favorably, and a motion made to adopt the report; the "pending motion" is "that the report be adopted," and does not include the proposition itself.

But, if the proposition itself is not understood, any member may require that it be read, or a statement of its contents made.

The Chair need not rise when "noticing" or "recognizing" a member, nor when "stating the question." He should rise if the question is important, or when making any special announcement; and also when addressing visitors.

PARLIAMENTARY SUGGESTIONS.

While the main motion is not yet debatable, because not stated, the mover may avail himself of a simple method of expediting business which should be better understood; but one in which the rule must be enforced or its purpose will be defeated, its purpose being to save time by quickly getting the measure into acceptable shape, without debate or amendment.

The main motion being under control of the mover, (and perhaps not even seconded,) he may accept "Suggestions" from other members, and hold the floor for that purpose, if no objection is made.

Even the best posted members are often aided by "suggestions" which will enable them the better to secure favorable action :

"That the motion be withdrawn and presented later."

Or, "That it be considered in connection with —," etc.

Or, "That the matter is now being considered by a committee."

"Suggestions" of this character are not motions, although ostensibly made by other members to "improve" or "perfect" the motion. They are often made to help out an inexperienced member. A

measure may require consolidation, transposition or revision—a misplaced phrase may be stricken out and inserted elsewhere; or a motion, though brief, may be manifestly improperly worded. It is, however, at times dangerous to accept suggestions, and the mover must be watchful lest he accept any looking to the defeat of his measure.

The object being to save time, “suggestions” are made and responded to through the Chair, and never direct, so as to avoid discussion; they must be made without explanation or argument, yet the suggestion may contain but conceal both.

The proper form is to rise, face the Chair, and (the purpose being to save time) at once say :

“Mr. Chairman: I suggest that the motion be so modified as to——,” etc.

Or, “I suggest that, if it is intended to——, the motion should be so modified as to——,” etc.

The mover of the main motion responds, through the Chair.

“Mr. Chairman: I accept the suggestion.”

Or, “I cannot accept the suggestion.”

Or, “I accept so much of the suggestion as——,” etc.

The number of “suggestions” is limited, at the discretion of the Chair, who may at any time “state” the question; or they may be stopped by objection.

The Chair should not allow “suggestions” to delay business; but should not interfere because they tend to “load” the main motion so as ultimately to defeat it—the mover must look out for that.

ILLUSTRATION.

Moved, That a committee be appointed to arrange for an entertainment.

Suggestion—"Mr. Chairman: I suggest that the gentleman make it a committee of five."

Member—"Mr. Chairman: I accept the suggestion."

Suggestion—"Mr. Chairman: I suggest that our presiding officer be chairman of the committee." [Accepted.]

Suggestion—"Mr. Chairman: I suggest that it be in the form of a picnic."

Member—"Mr. Chairman: I cannot accept the suggestion; I do not approve of it."

Suggestion—"Mr. Chairman: I suggest that it be for the members and their families only." [Accepted.]

Suggestion—"Mr. Chairman: I suggest that it be held in this hall, on Anniversary Day." [Accepted.]

Here are five "suggestions," each of which might (in the form of an amendment, and discussion thereon) have consumed considerable time. The Clerk has kept track of those accepted; and the motion, as modified, is:

Moved, That a committee of five, with our presiding officer as Chairman, be appointed to arrange for an entertainment to be held, for members and their families only, on Anniversary Day, in this hall.

[It is of course, still subject to amendment, but in all probability much time has been saved.]

CONSIDERATION.

Having "Stated the Question," the Chair makes a brief pause, to enable members to interpose other motions—if other motions are in order—or to raise "points of order," if they are so disposed. Whereupon, if the main motion is not debatable or amend-

able, he should at once "Put the Question." If, however, the motion is subject to amendment or debate, or both, instead of putting the question, he should say :

"Is the Assembly ready for the question?"

Or, "What is the pleasure of the Assembly?"

Or, "Is the Assembly prepared to act?"

Or, "Are you ready for the question?"

The question, having been "stated," is before the Assembly for "Consideration," which term includes not only debate and amendment, but the "method of consideration," the "limiting of debate," and all proceedings prior to the time when the Assembly (that is the majority) is "Ready for the Question"—or ready to vote upon the main proposition.

As a general rule, in assemblies not of a distinctively legislative character, the majority is "ready" to vote on a proposition in the form in which it is presented, and if the minority undertakes to kill time (by means of "dilatatory motions," or what is known as "filibustering") methods are provided for forcing a vote.

For convenience, we will consider the Assembly as "ready for the question," and take up the subject of "consideration," from time to time, in connection with other topics.

"Consideration precedes Action. No important step should be taken without due 'consideration'."—BARCLAY.

LESSON IV.

To Become a Parliamentarian, One Must Have a Ready Knowledge of Motions, their rank, purpose and effect. Anyone who possesses it can preside over a deliberative body with ease and skill, or take part in the proceedings.—JOHN L. BRANCH.

PUTTING THE QUESTION.

If the pending motion is debatable or amendable, or subject to the interposition of other motions, opportunity must be given therefor ; and when pauses occur, the Chair should, from time to time, ask :

“Have all members spoken who desire to be heard ?”

Or, “Is the Assembly now ready for the question ?”

Or, Any remark which is, in substance, a notice that, unless a member at once claims the floor, the question will now be put.

The Assembly being “Ready for the Question,” which is shown not by the members calling “Question ! Question !” (which is always improper,) but by “Silent Assent”—that is by no one rising to discuss it, or to make any other motion concerning it—the Chair rises to “Put the Question,” which is “the Fifth Step Toward Action,” “Consideration” being the Fourth.

After the Chair rises, no member can be heard, unless injustice has been done. If a member is improperly deprived of an opportunity to obtain the floor, (as will presently appear,) subsequent action on the motion becomes a nullity, unless the wrong is righted.

If, following the question "Are you Ready?" etc., or other inquiry of the same general nature, the Chair made a proper pause, it is now too late for either motion or debate—the time for that was during the interval; but, if no pause was made, or if any member desiring the floor was "overlooked," he may still "claim the floor" on a point of order, and (if sustained by the Chair, or on appeal,) the Chair must be seated, and an opportunity given. The Chair must obey as well as enforce the rules, or he is out of order, and subject to censure or removal.

In "Putting the Question"—that is, putting it in the hands of the Assembly for its determination—the Chair must be guided by circumstances. No one having risen, or all so desiring having been heard, the Chair adds, after the pause :

"All in favor of the motion will say Aye! [Pause.] Contrary, No!"

If there has been considerable delay, the Chair should again state the question, and put it to vote :

"The question is on the adoption of the motion, which is [briefly designating it.] As many as favor the same will say Aye! [Pause.] Contrary, No!"

Again it may be said, there is no prescribed form, but it must be so worded as to be fully understood; and, if not, any member may (without rising) interrupt the Chair, at any time before the affirmative vote is actually taken, and have it properly worded.

WHY THE PAUSES ARE MADE.

It may seem unnecessary to make a pause after the stating of a question which is not amendable or debatable. It is necessary, because members may desire to postpone its consideration. The purpose of the pause after "Will say Aye!"—like the pause after "Are you ready?"—is to protect the rights of members who may claim to have been "overlooked."

A vote is not a vote until both sides are taken. It must be taken deliberately ; and if a member has been "overlooked"—or if the entire Assembly has been "overlooked"—by the Chair, in endeavoring to hasten action, the floor may be claimed after the negative vote has been taken—but it must be before the result is announced. If entitled to the floor, the member is to be accorded it, and may demand another vote afterwards, the first being void.

The reason for the rule is, that nothing shall be done which infringes on the rights of an individual member—if business is to be "rushed," it must be pursuant to other rules.

"Of course no pause is to be made after "Will say Aye!" when the motion is not debatable, since no member would be entitled to the floor.

VOTING METHODS.—"SILENT ASSENT."

The simplest form, of the six recognized methods of voting, is that known as "Silent Assent," as where the Chair says :

"It will be taken as the sense of the Assembly, unless objection is made. [Pause.] The Chair hears none—and it is so ordered."

Or, "So ordered, unless objection is made."

[If one member—without rising—says "I object!" a vote must be taken.]

When the rule expressly provides how a vote shall be taken, "silent assent" will not suffice on any save mere routine motions. [The record is not to show "silent assent," but that the motion was "adopted," or "adopted unanimously."]

VOTING BY VOICE, OR "VIVA VOCE."

The recognized parliamentary method of voting, on all ordinary questions, is that known as "viva voce;" the method by which members respond orally when called upon by the Chair, and the one used for convenience in these Lessons. In the absence of a special rule, this method applies to all cases other than by "Silent Assent," and "Division of the Assembly;" and to "Ballot Voting," when officers are to be elected, or other "secret-vote" had.

What is known as "Voting by Acclamation," or "by Shout," is not known to parliamentary law. Even in a political convention (if there are more candidates than places) the Chair should rule that a motion "that — be elected by acclamation" is out of order (because in derogation of the rights of other

candidates and their friends,) and should observe the following formula :

If there is only one candidate, the Chair should entertain the motion, but put it "viva voce,"—not that "It is moved that — be elected by acclamation," but "that —, being the only candidate, be declared elected. [Pause, during which other candidates may be nominated, unless a special rule prevents.] Are you ready?" etc. [The Assembly may desire to postpone action.]

If more candidates than places, (in the event of any question as to method, and in the absence of a special rule,) the Chair should ask: "How shall the election be had?" and govern himself accordingly;—the Assembly thereby making a special rule for the special occasion.

VOTING BY "SHOW OF HANDS."

This method differs from the viva voce method mainly in form; or by substituting "signs" for "sounds"—the Chair depending on the eye instead of the ear.

Instead of "will say Aye!" the term used is "will raise their hands," (meaning one hand only,) and instead of "Contrary, No!" the term "Contrary, Same!" [By strict rule, only the "right hands" are to be counted; and, in some gatherings, the Chair must guard against counting both hands of one member.]

This method of voting is generally resorted to when "the Chair is in doubt!" but members are seldom required to rise, as they are in the case of a "vote by division."

It is also common in so-called "executive sessions"—to prevent reporters, and other "eaves-droppers," gaining information, or "pointers," by the volume of sound.

In many assemblies what is known as a "Voting Sign," or "Usual Sign," or "Sign of the Assembly," is used in place of a "show of hands." Generally that is what it really is—the peculiar "show" varying in different assemblies. When such a sign is used, the Chair should say :

"All in favor of the motion will give the Voting Sign!" [or, "the Usual Sign!" or, "the Sign of the Assembly." Pause.] Contrary, the Same Sign!"

The form should accord with the responses proper to be made ;—to call for the "usual sign," when the response is to be by "sound" and not by "sign," is an absurdity, yet often witnessed.

"DIVIDING THE ASSEMBLY."

The method known as "Voting by Division of the Assembly," is seldom resorted to save to determine an otherwise doubtful vote by a simple form of counting the total number for and the total number against a proposition, as in cases when members call for a "division," pending the announcement of the result of a vote.

When properly called for, the Chair will say :

"A division is ordered. All in favor of the motion will please rise." [They rise, raise right hands, remain stand-

ing until counted by the Chair or tellers, and are seated by sound of the gavel.] "All opposed," etc. [Same procedure.]

The division may be by a show of hands, by a rising vote, or by separation into groups. Members not voting, when a division of the Assembly is ordered are to be ignored and not counted either way (unless there is a special rule to the contrary,) which rule applies to all methods of voting.

In the national House of Representatives a "division" is generally had by requiring those voting in the affirmative to pass between two tellers, who count and report them to Mr. Speaker; next the negative vote is ascertained in the same manner; and "then the stragglers pass between, each vote being separately reported to the Chair;" and, "when all have voted, the Chair announces that the tellers have reported, and states the result."

In the English Commons the members retire to "yea and nay lobbies," and their names are checked on their return—a system practically like our "Division of the Assembly."

"Where the private interests of a member are concerned he is to take no part. It is contrary, not only to the laws of decency, but to the fundamental principle of the social compact which denies to any man to be a judge of his own cause."—GREY.

LESSON V.

Men and Women Alike Need Such Knowledge of Parliamentary Law as will enable them to pursue the proper course under ordinary circumstances; and, generally speaking, they need no more, nor have they time to acquire more.—GEORGE G. CROCKER.

ROLL-CALL—"YEAS AND NAYS."

Voting by roll-call, or by "Calling the Yeas and Nays," is the method resorted to when it is desired to record how each individual member voted. It is seldom used except in legislative assemblies, wherein (by constitutional law, and not by parliamentary rule,) the yeas and nays are ordered on demand of one-fifth of the members—the theory being that legislators are servants of the people and that an easy method should be provided to force a record of individual votes.

Necessarily this method of voting consumes considerable time, each name being called in its order, the member responding "aye" or "nay" and the name being so checked as to show that fact. In the absence of a special rule, it can only be resorted to by order of a majority of the members present; so that, if delay occurs, the majority is responsible.

It is too late, after one or more names have been called and responded to, to re-open the debate, unless gross injustice has been done. Nor can the voting be

in anyway interrupted save, by "emergency motions," (which will be explained later,) in which event the "yeas and nays" which have been partially called would be ignored.

The general purpose of this method being to force members on record, and to show who are and who are not responsible for the action taken, it follows that the vote can only be properly taken when a list of the members has been prepared for the same; although, in conventions, the credential-lists are frequently used.

ILLUSTRATION.

Member, without "recognition,"—"Roll-Call!" Or, "Yeas and Nays!" Or, "Mr. Chairman: I call for [or "ask for," or "demand,"] the Yeas and Nays!"

The Chair—"The yeas and nays are called for!" [Pause. If no one objects, "Silent Assent" is presumed, and the Chair says, "So ordered," etc.]

If, however, there is one "I object!" the Chair [without "Are you ready?"—the call being "highly privileged,"] at once asks: "Shall the yeas and nays be ordered?" and, without pause, adds: "All who favor the call will say Aye!" etc. If the call is ordered, the Chair says: "The ayes have it, and the Clerk will call the roll! Those in favor of the motion to —, [or "which is —,"] will say Aye! as their names are called; contrary, No!"

The roll having been called and checked, an opportunity is then given for members to change their votes, (which can be done at any time before the Chair rises to announce the result,) and for those "not voting," (having "dodged" by not answering,) to vote, if they so desire—and, to "land on the winning side."

This opportunity is not given by announcement, but by a brief pause, during which any member may demand a re-call of the names of those who did not respond;—they cannot be compelled to vote, (in the absence of a special rule,) nor can absentees be sent for, unless a special rule so provides.

In any event the names of those voting—for or against—as well as those “absent,” and those “not voting,” must be entered upon the minutes, the real object of a roll-call being to “put members on record.”

After the first name has been called, the call must be completed; it cannot be interrupted, even by the arrival of the hour previously fixed for adjournment. When completed, the Clerk foots up the columns, and makes a memorandum, which he presents to the Chair.

The Chair then announces: “The vote stands, — in the affirmative, and — in the negative; and the motion is adopted,” [or “lost.”] He does not say “the — appear to have it,” etc., because there can be no doubt.

SUBSTITUTE “ROLL - CALL.”

In an Assembly having no “roll” of members, a majority may order the “yeas and nays,” but, before the order is made, the Chair should suggest that no roll has been provided. If the call is then ordered, such expedient must be resorted to as the majority may determine—if the majority is willing to devote the necessary time the minority must submit.

A common expedient is to take down the names of those present, either before taking the vote or at the time of voting, members rising one at a time (under

direction of the Chair) and announcing their names and how they vote, the Clerk keeping a record thereof.

This method of voting should not be confounded with an order directing members to "vote as their names are called," (by ballot or otherwise) — in cases when the "general result" is to be recorded and not "the names of those voting;" which is simply another form of "division of the Assembly," to guard against mistakes — a form frequently followed in political conventions, the names of delegates being supposedly checked and, detailed recorded, while in fact few records are kept in such conventions.

VOTING "BY BALLOT."

"Voting by Ballot," in the absence of a special rule, is the parliamentary method of Electing the Officers of an Assembly itself, especially in assemblies having a fixed membership. It is also the parliamentary method for the election of candidates for membership, and in determining all questions involving membership-rights; as well as in the nomination of candidates to be voted for by others, and whenever a secret vote is required.

When the law requires a "secret ballot," it cannot be cast by the Clerk, or other member, even by unanimous consent, because of the result being known

in advance: but if so done, the result could not be questioned by anyone then present, since "what all agree to, none shall question."

The duty or privilege, however, is a personal one, and cannot be delegated, because the only purpose of a ballot is secrecy; and, if the rule requires a ballot, a ballot must be had, even though there be but one candidate. One or more, and perhaps a majority, might wish to vote against him and yet none be willing to openly object.

It is quite common to direct the Clerk to cast the ballot, when there is only one candidate; but one objection is sufficient to prevent it.

An apparent exception to the rule of secrecy occurs when (as in a political convention) a delegation is required to "vote as a unit," or to announce its vote as such delegation. Not so, however; since "individual secrecy" may be maintained by a prior ballot, within the delegation, to determine for whom the vote shall be announced.

COUNTING THE BALLOTS.

In ballot-voting, Blank Ballots are to be wholly ignored, unless otherwise provided by law or special rule; that is, they are not to be included in the total. One who casts a blank ballot does not vote. While pretending to vote, he declines being a factor; and leaves the issue to be determined by others.

When the rule requires nominations to be made in advance, ballots containing the names of persons not nominated are to be treated as blank ballots, so far as such names are concerned. If, however, the rule does not specifically require all nominations to be made in advance—but certain nominations are so made—all names voted for are to be counted and reported, even though receiving but one vote; they may do better, later. Instances are numerous where persons, not seriously mentioned at the start, have “distanced the leaders;” a notable one being the nomination of Mr. GARFIELD for President, after receiving but one vote on many consecutive ballots.

The term “Scattering,” is only permissible after the result is determined; and then, only on the record, “by courtesy” of the Clerk, and as a sort of salve for the wounded.

Of course, when the special rules provide otherwise, they are to be obeyed—not only in voting, but in all matters—unless specially “suspended” for the occasion.

It is never proper to move “that the nominations be closed.” When all who desire to make them have apparently done so, the Chair should ask:

“Are there any further nominations? [Pause, during which they may be made.] If there are no other nominations, they will be declared closed. [Pause.] So ordered.”

The Report of the Tellers should show, not only the number of votes for each candidate, but the details, so that members may know that the report is correct. The general form should be:

"For the office of —, there were — ballots cast; necessary to a choice, —.

"A — B — received — votes.

"C — D — received — votes.

"E — F — received — votes.

"There were — blank ballots cast, and not counted."
[The Assembly has a right to know all the facts.]

If the rules require "a majority of all present," then "all present," and not the ballots, are to determine the "total;" and votes for those not regularly nominated, (if the rules require prior nominations,) are to be included with the "blanks," and reported as "Blank votes, —;" and those not voting as "Not voting, —."

"INFORMAL BALLOT."

The motion, frequently made in political conventions, and sometimes elsewhere, "that the Informal Ballot be Made a Formal Ballot," is never in order; and its adoption will not change the fact that it was not formal. Moreover, it frequently happens that members do not express their honest convictions on an informal ballot, but cast complimentary votes, expecting a return.

If the rule requires a ballot, declaring an informal ballot a formal one would not be a compliance; if

the rule does not require a ballot, and it is desired to expedite business and nominate or elect the one in the lead on the informal ballot, the ballot should be ignored and a nomination or election made by viva voce motion.

FRENCH "BALLOT VOTING."

Still another method of voting obtains in some localities, its features corresponding to the ball-ballot system in Lodges. Each member, as his name is called, casts a red or white ticket—the one denoting "yes" and the other "no." This is the system used in the French Chamber of Deputies for an "open ballot," one of the tellers announcing how he votes—"white" for "yes" and "blue" for "no"—and the Clerk recording the same, which makes it correspond to our system of "yeas and nays."

"Voting is the most important business, since it is the consummation of the work of a deliberative body. Courts, when litigation arises with regard to the passage of a measure, will look to see whether it has been legally adopted in regular order, rather than to the previous disposition of subsidiary questions and rulings on points of order; though such minor matters will always be investigated if the issue of the case require it."—WAPLES.

"The vote on the question of demanding the yeas and nays [when the rules require one-fifth, or other proportion of a quorum, to order them] is always taken by a rising vote."—REED.

LESSON VI.

It is Much More Material to Have a Rule than What That Rule is; that there may be uniformity of proceeding, not subject to the caprice of the Chair or captiousness of the members.—HATSELL.

RULES RELATIVE TO VOTING.

Whatever the method of voting, it should be borne in mind that it is the most important business of an Assembly—in no other way can it take “action.” When proceedings are reviewed by the courts all other matters are trivial compared to the question “Was the vote a legal one?”—that is, proper to be taken, and properly taken.

Only members in attendance may vote. Voting by attorney, or by proxy, is never permissible unless by operation of law. Nor can a member vote on any question in which he has a personal interest; a “personal interest is one not common to the membership—as where his reputation is at stake,” or “where his private right or interest is immediately concerned, as distinct from the general interest.” The interest must be direct, and not merely incidental or general.

An apparent exception to the rule obtains in elections; one may vote for or against himself. Otherwise, no votes might be cast, since all might be candidates.

In this connection it may be stated that the common convention-motion (after a choice has practically been made,) to "make the election unanimous," has no foundation in parliamentary law. If entertained, and one vote be cast in the negative, the motion is lost; unless all agree, it is not unanimous.

No member can Change His Vote unless the record shows (or it be absolutely known) how he voted. Otherwise a dishonest member [in a political gathering, of course] might, in effect, cast three votes—one for or against the measure, and two more by pretending to have voted otherwise, and by having his pretended vote transferred.

THE "CASTING VOTE."

A Tie-Vote on any question (save in exceptional cases) defeats the motion, regardless of the method of voting, since those favoring the motion must have more than an even half of the votes cast to out-vote the balance. The exceptions are caused by a peculiar "stating" of the question, to which reference will be made later.

A "Casting Vote" is accorded the Chair only when he is an actual member of the Assembly, and not simply an ex-officio member, in the absence of a law to the contrary. Nor can an Assembly give the Chair a casting vote, except by unanimous consent; and sometimes not even then.

When the Chairman is an actual member, he may vote as such ; and, if he does so, he should vote last, lest he unduly influence the votes of others. In no event can he cast two votes.

If the Chair has a casting vote, and avails himself of it, he should (after the number of votes is known—not announced) say, "The vote is a tie—the Chair votes aye and the motion is adopted !"

If he has a casting vote, he need not vote "no," to determine a measure lost, since the "tie" would be sufficient ; but, if he votes as a member, (and not by casting vote) he may vote last and make a tie, and in that way defeat a motion.

The same rules apply when a two-thirds vote, or other vote larger than a majority, is required to adopt a motion. If the vote lack one of being two-thirds, the Chair may make it such ; and, if an even two-thirds, the Chair may vote "no," and declare the motion lost.

If a question is put to vote, and no member responds, it is not "silent assent." The Chair, if a member, or, if having a casting vote,—may vote for or against the motion, and declare it adopted or lost, and bind the Assembly. In such an event, the result could not even be reached by "reconsideration"—unless the Chair assented thereto.

The general rule is that a "majority vote" shall determine any action of an Assembly ;—the exceptions will come later. Mr. REED says :

"Unless by organic law, or by virtue of rules adopted by an assembly, the number required for an affirmative decision is increased above a majority, the majority rules. The general principle of decision is the natural one, that the majority shall govern."

Col. ROBERT says :

"While a quorum is competent to transact any business, it is usually not expedient to transact important business, unless there is a fair attendance at the meeting, unless, previous notice of such [proposed] action has been given."

In the absence of a rule to the contrary the majority of those voting are competent to act, and those not voting give "silent assent" to such acts. But when a special rule expressly requires "a majority of all present," for the adoption of a motion, those not voting must be counted in the negative. Of course, the same rule obtains when the rule requires a two-thirds or other proportion of "all present."

A member may be forced on record, but he cannot be forced to vote; the record may show him to be "absent," or "present and not voting," or other proper entry, but voting itself, implies the exercise of judgment, and cannot be forced, even by a special rule made by the Assembly itself.

Of course, if the "higher law" says to the contrary, it must be obeyed, even though in itself not well grounded, since "Obedience" is a fundamental parliamentary rule.

ANNOUNCING THE RESULT.

The Result of the Vote is to be announced as soon as completed; but should not (in the first instance) be positively announced, unless beyond all question, and concerning a matter of no considerable importance.

The vote—regardless of method—is not a “Step Toward Action,” but “Action!” and includes not only the taking of the vote, but the declaration of the result, and the record thereof.

The vote having been taken, the Chair, if in doubt, should (of his own motion) say, “The Chair is in doubt! All in favor,” etc., and take another vote; and, if he so desires, he may “divide the Assembly,” by “show of hands,” or otherwise.

If not in doubt, he should say,

“The ayes [or “noes”] seem to have it. [Pause, to permit a “division,” if called for.] The ayes [or “noes”] have it; and the motion is adopted,” [or “lost.”]

If thus stated—that is, if a pause was made after the words “seem to have it,” and no “division” was called for, the vote is final. But, if there was no pause, a “division” may be called for; even after the result is announced, but before the presentation of other business.

On mere formal motions, or any motion concerning the decision of which there can be no question, it is sufficient if the Chair simply announces, after the vote is taken, that—

“The motion is carried;”—or “lost.”

Or, "The ayes have it;"—or, "the noes have it."

Or, "It is [or "is not"] a vote."

Or, "The motion prevails."

Or, Any brief announcement of the fact.

Members need not rise to call for a "Division of the Assembly," but may informally call "Division!" because the conditions frequently require haste; or one or more may rise and quickly say "I doubt the vote!" or "I call for a division!" If the Chair refuses a "division," the only remedy is an Appeal to the Assembly.

When a "division" is allowed, and proper proceedings had, the Chair should announce (instead of the ordinary form) that—

"There were — votes in the affirmative, and — votes in the negative; and the motion is adopted;"—or "lost."

Or, "There were — ayes, and — nays, and," etc.

MODIFIED RULES.

In small bodies, like Boards of Directors, by general usage, the rules are still further modified because of changed conditions. The mover need not rise, because readily seen and heard without. Motions may be made without "notice" or "recognition;" and, if lengthy, may be dictated to the Clerk. No seconder is required, and any member may move to reconsider. Nor need the Chair rise when putting a question.

But a dignified majority, or a strict Chairman, might enforce the rules, notwithstanding the changed conditions ; even though time be wasted, instead of saved, by so doing.

RECONSIDERATION BRIEFLY TREATED.

The subject of "Reconsideration," or the Taking of a Second Vote on the Same Measure, (because, after supposed reflection, believed to have been improperly disposed of) will be considered in detail later. The "motion to reconsider" is not an "ordinary main motion," and is barely mentioned here to avoid confusion.

If the record shows (or it is otherwise known to a certainty) who voted for or against a measure, or how certain members voted thereon, the motion to reconsider must be made by one voting on the prevailing side.

The "prevailing side" is the winning side, and not necessarily the most numerous ;—if the motion required a two thirds vote but failed to receive it, those voting "no," (although a minority,) constitute the "prevailing side."

If the record does not show how members voted— it being wholly a matter of recollection—any member may move to reconsider. Otherwise, a dishonest member would have an advantage over the others.

A mere viva voce vote cannot be separated into units; nor can members absolutely know how other members voted.

An ordinary form of a motion to reconsider is:

"I move that the vote whereby the motion to [describing it] was adopted [or "lost,"] be reconsidered."

Or, "I move to reconsider the vote by which the motion [describing it,] was —," etc.

The motion is debatable, if the original motion was ; but not otherwise. It may be made at any time before an Assembly has lost control of the subject matter of the proposition itself—as a general rule, at the same or next succeeding meeting.

In an emergency (as it will appear later) it may be made while another member has the floor ; but, if so made, serves only as a "notice of motion," and is acted on later.

When a motion to reconsider is made, or when a "notice of motion" is given, it stops action on the original proposition—that is stops anything being done because of it—until the motion to reconsider is itself acted upon.

If adopted, it brings up the original motion, for another vote, in exactly the same condition as it was in before the taking of the vote which is ordered reconsidered ; and is then subject to modification.

No motion can be reconsidered a second time.

"The want of a work which will give elementary details has long been felt. Manuals stop far short."—COLFAX.

LESSON VII.

The Proper Use of the Amendatory Motion is to Aid and Perfect the Measure to which it is applied; to befriend the antecedent proposition and render it more worthy of support and adoption.—RUFUS WAPLES.

AMENDATORY MOTIONS.

The subject of amendatory motions is an important and prolific theme, and when the student fully understands the rules connected therewith, and how to apply them, he is well advanced in the study.

Amendatory motions are of two, classes and are called "primary" and "secondary;" the primary being commonly called an "amendment," and the secondary an "amendment to the amendment."

When an amendment adheres direct to the main motion, and must be disposed of before action on the main motion, it is a primary amendment. When it adheres to the primary amendment, and through it to the main motion, (and must be disposed of before action is had on the primary,) it is a secondary amendment.

As a general proposition, only two amendments—one primary and one secondary—can adhere at one time. The line must be drawn somewhere, and usage has drawn it at an "amendment to an amendment."

Under no circumstances is an "amendment to an amendment to an amendment" in order.

Ostensibly the purpose of amendments is to "perfect" the main motion by getting it into proper shape for the final vote thereon; but the term "perfect" is often a misnomer—amendments put the main motion in whatever shape the majority may determine, whether it be "perfected" or "spoiled" thereby. Were it otherwise, members would be forced to vote for or against any and all propositions—to reject measures more or less meritorious, and accept measures more or less objectional. Hence the so-called "perfecting" process.

The number of amendments that may be made to the main motion is practically unlimited, but only two can be pending at one time. As fast as one "secondary" is disposed of, another can take its place; and when all "secondaries" are disposed of, the primary amendment has the right of way, and may be replaced by another primary, and that by another, etc.; and each primary may, in turn, have its series of secondaries to be disposed of. [Further on it will be seen how to prevent unnecessary amendments, and waste of time.]

Amendments are "moved," "seconded" and "stated" substantially as are main motions, the common form of motion, for a primary amendment, being—

"I move to amend the motion [or original motion] by —" [stating how.]

And, for a secondary amendment:

"I move to amend the amendment by —" [stating how.]

MUST BE GERMANE.

All amendments must be germane to the main motion. To be germane (or relevant to the main motion) an amendment must not only relate to the same subject, but must be so worded as to make sense.

An amendment may be inconsistent with one already adopted, or conflict with the spirit of the original motion, but, if it has a bearing on it, it is germane and sufficient. The special rule of the national House of Representatives is that—

“No motion or proposition, on a subject different from that under consideration, shall be admitted under color of amendment.”

This rule has become the common law on the subject, but the words “color of amendment” are to be construed liberally. In the language of Mr. WAPLES:

“When there is a total absence of congruity between the proposed amendment and the main motion, so that the amendment is a new proposition, upon a different subject, it should be ruled out. While there is a proposition lawfully before the house no new proposition on a different subject can be entertained. What cannot be done directly, cannot be rightly done indirectly, by disguising the intruder with the mask of an amendatory motion.”

While a secondary amendment cannot be amended, notice of a proposed secondary, (to be presented later,) may be given, unless objection is made. The purpose is to suggest to the Assembly, that it will the better serve to “perfect” the measure.

DEBATE LIMITED.

Debate on an amendment is in order, only when the main motion is debatable, and must be kept under control. When the effect of an amendment would be to defeat the purpose of the main motion, the whole proposition may be debated; but, when the effect is simply to modify the main motion, debate must be limited to the proposed modification, and not extended to the whole question.

ILLUSTRATION.

"Moved, That the Assembly hold two more meetings in this hall."

An amendment to make the motion read, "no more meetings," would (if adopted) defeat the proposition; and, while the amendment was pending, the entire proposition would be debatable; that is, whether to hold two meetings or more,—and, if held, whether or not "in this hall."

An amendment to hold "four meetings" would limit the debate on such amendment to the number to be held; and the propriety of holding meetings, or the place of meeting, would not be debatable while the amendment was pending. After it was determined, general debate might be renewed, on the main motion.

Laxity in enforcing the rule leads to confusion, but the speaker should have the benefit of the doubt; and greater latitude should be allowed members unaccustomed to debate.

AMENDMENTS CLASSIFIED.

The foregoing rules apply, not only to primary and secondary amendments, as such, but to all amendments, by whatever name known; since all amendments are either primary or secondary. There are five forms of amendments—three general and two special. The General Forms of Amendments are:

“AMENDMENT BY ADDITION,” or by adding to (or inserting in) a main motion, or in a primary amendment, certain other words.

“AMENDMENT BY ELIMINATION,” or by striking certain words out of the main motion, or primary amendment.

“AMENDMENT TO STRIKE OUT AND INSERT,” or by striking certain words out of a main motion, or primary amendment, at the same time inserting certain words in place of the words so stricken out.

The Special Forms of Amendments are—

“AMENDMENT BY DIVISION,” or by dividing a main motion, or a primary or secondary amendment, into two or more propositions.

“AMENDMENT BY SUBSTITUTION,” or by striking out an entire main motion, (or the whole of a primary amendment,) and substituting in place thereof, another entire motion, relating to the same subject matter.

AMENDMENT BY ADDITION.

An “Amendment by Addition” is a motion to add certain words to (or insert certain words in) the pending motion—whether the “pending motion” be

a main motion or a primary motion. A common form is—

"I move to insert, after the words —, and before the words —, the words —," etc.

Or, "I move to add, at the end of the section, the words —," etc.

The proposed amendment must be definite, as to the words to be inserted, and as to the place—whether before, between, or after, certain other words.

ILLUSTRATION.

Moved, That a warrant be drawn in favor of John Jones for the sum of twenty-five dollars.

Primary Amendment—To insert, after the words "sum of," and before the words "twenty-five," the words "one hundred and."

The Chair states the question—"You have heard the motion. [Pause.] Are you ready?" etc.

Or, "It is moved to amend by inserting 'one hundred and twenty-five' instead of 'twenty-five'." [Pause.] Are you ready?" etc.

If the amendment is adopted, other amendments are still in order; but, if none are offered, the Chair will say, "The question is on the adoption of the motion, as amended," [describing it, if necessary, followed by a brief pause]. "Are you ready," etc.

If no other amendments, etc., he puts the question.

A secondary amendment is one which relates to the primary amendment alone, regardless of its effect on the main motion. Additions cannot be made to the primary amendment, but may be added to the

main motion, by a primary amendment, after the pending primary amendment is disposed of. Col. ROBERT illustrates this as follows:

A motion to "insert 'B' before the word C," cannot be amended by adding "and 'D' before the word E," because the only thing that can be altered in the pending amendment is "B," the other words being those that are necessary to describe what it is proposed to do with "B."

The proposed insertion of "D" has nothing whatever to do with "B;" but, as stated, can be inserted by another amendment. Col. ROBERT further says :

A motion to insert "B" before the word "C," in a resolution, cannot be amended by substituting another resolution for the one pending, thus changing the form of the amendment, and not simply altering "B."

The proper method of making such substitution will be shown when that topic is reached. Incidentally, it may be stated that it is in order when no secondary amendment is pending.

ILLUSTRATION.

Moved, That the Clerk be directed to purchase five dining tables and fifty chairs for the use of the Assembly.

Primary Amendment—To add, at the end of the motion, the words "and that he receive one dollar per meeting for clerical services." [Not germane—but might be, if the proposed compensation was for "services as purchasing agent." Ruled out.]

Primary Amendment—To insert after "dining tables," the words "one sideboard, one mirror."

Secondary Amendment—To amend the primary amendment, (or to amend the amendment,) by inserting after "mirror" the words "one kitchen table." [Not in order;

the "kitchen table" has nothing to do with "one sideboard, one, mirror." But, in order later, as a primary amendment. No other secondary amendment being offered, the primary amendment is adopted.]

Primary Amendment—To insert, after "mirror," the words "one kitchen table." [Adopted.]

Another primary amendment is now in order; and, if made, secondaries would be in order. None are made, and the original motion, amended so as to provide for "five dining tables, one sideboard, one mirror, one kitchen table and fifty chairs" is adopted.

While amendments would have been in order, as stated, the words inserted must stay inserted, unless (in connection with other words) a new proposition is made.

It sometimes happens, that the adoption of an amendment seems to be the adoption of the original motion; and some do not understand why, in all cases, the original motion must be put, after it has been amended. The explanation is simple:

Suppose a motion is pending that A, B and C be appointed to do a certain thing, and an amendment offered to add the Chairman and Clerk.

The adoption of the amendment does not declare that the Assembly wants the thing done. It simply declares that, if done, the Chairman and Clerk shall assist therein.

The Assembly may, or may not, adopt the motion, as amended; and may thereby direct, or refuse to direct, the thing done.

Again quoting from Col. ROBERT:

If the pending motion is to "insert 'A, B, C, D,' before E," it is in order to apply any form of amendment to "A, B, C, D," and no amendment is in order that is not confined to simply altering those words, "A, B, C, D."

That is to say, other words cannot be added ; nor can the primary amendment be amended in any other particular. But, if "A, B, C, D," are inserted, they must stay inserted ; for which reason either or all of them may be changed, by secondary amendments, by the use of other form or forms of amendment.

"If an amendment be proposed, inconsistent with one already agreed to, it is fit ground for its rejection by the Assembly, but not within the competence of the Chairman to suppress, as if it were against order ; for, were he permitted to draw the question of consistence within the vortex of order, he might usurp a negative on important modifications,—and suppress, instead of subserve, the will of the Assembly."—JEFFERSON.

"A knowledge of parliamentary law is essentially necessary to him who shall be called upon to preside. It enables him to make such rulings as will secure order and impartiality in discussion ; and reach final action, in the quickest way, without confusion."—F. M. PAYNE.

"If the amendment be to leave out (or to add) words only, debate should be restricted to the advisability of the omission (or addition) of those words."—ERSKINE MAY.

LESSON VIII.

Amendments May be Made so as to Totally Alter the Nature of the Proposition. It is one way of getting rid of the proposition, by making it bear a sense different from what was intended by the movers, so that they vote against it themselves.—THOMAS JEFFERSON.

AMENDMENT BY ELIMINATION.

An "Amendment by Elimination," differs but little from an "amendment by addition," save as to form. Instead of "adding to," it "takes from;" a common form being :

"I move to strike out the words —, where they occur after the words —, and before the words —."

Or, "I move that the words —, after —, and before —, be stricken out."

The motion being to eliminate, or "strike out," it should be so stated ; the recognized form being :

"The Assembly has heard the motion [describing it, if necessary]. The question is Shall the words be stricken out. [Pause.] Are you ready," etc.

It is not proper to use the old-time form, "Shall the words stand?" because confusing and deceptive. While, under the rule, a tie-vote defeats an ordinary motion, a tie-vote, on a motion so stated, would adopt it. By refusing to let the words stand, the Assembly would order them stricken out—and less than a majority would, in effect, make the order. If the Assembly desires the words to "stand," it can vote "no," on the motion to "strike out."

When a motion, to strike out certain words, is adopted, the words stricken out must stay out; but the same words and other words, or a part of them (if making a new proposition) may be stricken out. It is, therefore, important to get the amendment in proper shape before it is adopted; if the words are stricken out, the Assembly may refuse to change them, even if an amendment is properly framed.

The rule stated, under the head of "Amendment by Addition," that a secondary amendment must amend the primary amendment only, applies to all forms of amendment. If a primary amendment proposes to and strikes out certain words, they must stay out; for which reason a secondary amendment, to strike out a portion of such words, (thereby leaving them in the main motion,) is in order.

It is not in order to add other words, thereby going beyond the bounds of the primary amendment; but it would be in order to strike other words out, by another primary amendment.

While a secondary amendment, to "add" certain words to a primary amendment to "strike out" certain other words, is not in order, the same result can be reached later in the form of a secondary amendment to "strike out" the words so proposed to be "added," the two propositions being identical.

But, if a primary amendment, proposing to insert (or add) certain words to the main motion, is adopted, the words so inserted or added must stay therein;

wherefore a motion to strike out a portion of the proposed words (not other words) would be in order. Other words could be struck out only by other primary amendments.

ILLUSTRATION.

Moved, That E, F and G, be appointed as a committee, to confer with the owners of this hall, relative to a new lease.

Primary Amendment—To insert, before "E," the names "A, B, C, D." [In order.]

Secondary Amendment—To strike out "F and G." [Not in order; because no part of the primary amendment.]

Secondary Amendment—To strike out "A," [or, "B;" or "C;" or "D." In order, because found in the primary amendment. In like manner, a motion to strike out any two or three of the words "A, B, C, D," would be in order; and for the same reason.]

The secondary amendment, (to strike out "A,") is adopted; as is the primary amendment, as amended, and the motion reads:

Moved, That B, C, D, E, F and G be appointed as a committee, to confer with the owners of this hall, relative to a new lease.

The motion, as amended, is now again subject to amendment; but the word "A" cannot be restored, because struck out. Nor can the words "B, C, D," be struck out, because inserted; an opportunity to omit them was offered, but was not availed of, before the primary amendment was adopted.

If desired, a primary amendment may now be offered, to strike out "E," "F" or "G,"—or any two, or all three, of such words,—no previous opportunity to do so being offered. If struck out, they must stay out. The same rules, of course, apply to other words in the motion, as amended.

ANOTHER ILLUSTRATION.

Moved. That the Clerk be directed to purchase five dining tables, one sideboard, one mirror, one kitchen table and fifty chairs for the use of the Assembly.

Primary Amendment—To strike out the words “one sideboard, one mirror.”

Secondary Amendment—To amend the amendment, by striking out “one mirror.” [The effect would be to restore the mirror to the main motion, leaving the question of “sideboard” to be determined. The amendment is in order, because, if the primary amendment is adopted, the “mirror” must remain; unless subsequently stricken out in connection with other words. A member desires to return the sideboard and not the mirror, but can do nothing while the secondary motion is pending. A vote being taken, the secondary amendment is lost, and an opportunity is offered to strike out the sideboard, which is not availed of.]

Secondary Amendment—To strike out “five dining tables, one sideboard.” [Not in order, because the primary amendment does not reach the dining tables; but, it may be reached later.]

Secondary Amendment—To strike out “sideboard,” and insert “rocker.” [Not in order, for reasons stated; and because, if entertained and adopted, it would make the primary amendment propose to strike out “one rocker, one mirror,” there being no “rocker” in the main motion to strike out. The primary amendment is adopted.]

Primary Amendment—To restore the sideboard. [Not in order; it has been stricken out and must stay out. The member had a chance, before the other primary amendment was adopted, and it is now too late.]

Primary Amendment—To strike out “one kitchen table.” [In order and adopted.]

The main motion, as amended, is adopted, and now reads :

Moved, That the Clerk be directed to purchase five dining tables, and fifty chairs, for the use of the Assembly.

The same rule applies to the striking out of an entire section ; and with even more force. When stricken out, it must stay out, since no other words remain upon which to base a new motion to "strike out." Having been stricken out there is nothing to amend. [A partial remedy for this condition of things—when an evil—will be found later on.]

ILLUSTRATION.

Resolved, That one-half hour be set apart, at the first and third meetings in each month, under the head of "Good of the Order," for the study of, and practice in, Parliamentary Law.

Resolved, That the "American Law of Assemblies" be used at all "Parliamentary Drills" of this Assembly ; and that during such drills, members alternate as Chairman, the Chairman of this Assembly to designate an "Acting Chairman" for each drill.

Resolved, That five copies of the "American Law of Assemblies" be ordered, for the use of this Assembly, and that additional copies be ordered by the Clerk for such members as may desire and pay for the same ; *Provided*, That members desiring copies shall so notify the Clerk, within three days ; and that the Clerk mail an order, for such copies as are needed, prior to our next meeting.

The Chair—"The Assembly has heard the resolutions read. What is the will of the Assembly?"

Primary Amendment—To strike out the second resolution. [Adopted; and, there being nothing left to graft on, that resolution is disposed of. But, the proposition may be renewed—as it doubtless will be—as an independent motion, when no other business is before the Assembly.]

Primary Amendment—To strike out all of the third resolution, before the word “provided.” [Not in order, because the rule is that a proviso, standing alone, cannot be adopted. Ruled out.]

Primary Amendment—To strike out of the third resolution, the words “within three days.” [Lost; and being lost, “the same words” can only be stricken out in connection with other words, in such form as to make a new proposition.]

Primary Amendment—To strike out of the third resolution the words, “Provided, that members so desiring copies shall notify the Clerk within three days.” [In order and adopted. Instead of simply striking out the words limiting the members to “three days,” it leaves the motion in such shape as to provide that members may procure copies, at any time, by notifying the Clerk; and directs him to procure the Assembly copies at once. The “proviso,” as such, is stricken out, and the words “and that the Clerk mail an order,” etc., are added to the resolution proper.]

Primary Amendment—To insert, after the first and before the last resolution, the following: “Resolved, That when parliamentary study and practice is under consideration, as such, a pro tem Chairman shall preside—no member to preside twice—the Chairman of the Assembly to select the one who is next to serve, and the instruction-book used, to be the “American Law of Assemblies.” [The Chair properly rules it out, on the ground that, being substantially a resolution which has been stricken out, it must stay out; and that, while differently worded, the effect is the

same. The Chair further suggests that, if it be desired to restore the resolution, "reconsideration," is the proper method; whereupon, the motion, by which it was struck out, is reconsidered and lost.]

Primary Amendment—To amend the second resolution, by adding thereto the words, "and notify him thereof, prior to the meeting at which he is to serve as such Chairman."

The Chair—"Are there any objections. [Pause.] So ordered." Are there any further amendments? [Pause.] There being none, the question is now on the adoption of the resolutions, as amended. [Pause.] Are you ready for the question? [Pause.] All in favor," etc. [Of course, they are adopted; as they should be.]

"The Chairman should always state the question distinctly, so that every one may understand it,—reading first the paragraph sought to be amended; then what is to be struck out; and finally the resolution as it will read, if the amendment is adopted."—AINSWORTH.

"If a paragraph is inserted, it should be perfected by its friends, previous to voting on it; as, when once inserted, it cannot be struck out, or amended, except by adding to it."—ROBERT.

"A motion to amend a resolution, by striking some part of it out, seeks to improve it by removing superfluous, unpopular or otherwise objectionable matter."—WAPLES.

LESSON IX.

An Amendment May be by Omitting all the Words after the First Word, "That," and substituting in their place other words of a different import.—ERSKINE MAY.

"TO STRIKE OUT AND INSERT."

An amendatory motion, "to Strike Out and Insert," is a combination of the other two forms—"Addition" and "Elimination"—being a motion to "strike out" certain words, and, at the same time, to "insert" certain other words in lieu thereof; not necessarily in the same place, but so as to "make sense."

This form of amendment may be applied to any part of the main motion or primary amendment; whether being considered as a whole, or by sections, paragraphs or other divisions. When applied to an entire motion, it is known as "an amendment by substitution."

If a primary amendment, it may itself be amended, either as to the words to be stricken out or the words to be inserted, or both, and subject to rules hereinafter stated.

If a secondary amendment, it can be amended later, for reasons already given; that is at any time before the question is put on the main motion—or, on the whole paragraph, if being considered by paragraphs.

"Parliamentary Manuals" are not books of instruction for beginners; but, as Ready-Reference Books, often serve to settle disputes. They enable "one who knows" to refresh his memory. Writers assume that the reader is already versed in the rudiments; they ignore the primary department and start with the high school. More than that, they too often dwell on strict legislative practice, and dodge the modifications; and, if they refer to both, seldom point out which is which.

In the language of Ex-Speaker REED, "a beginner does not know the simpler things and needs them most. If the student has once fixed in his mind the idea that parliamentary law is not a series of arbitrary rules—but a plain consistent system, founded on common sense, and sanctioned by the experience of mankind—he will have gone far towards understanding it." The mere "letter" of the law will help the student little, if he does not grasp its "spirit." To understand even "the simpler things," he must learn his A, B, C's. He must make sure of his foundation; and the foundation of all knowledge is in the primary department.

The purpose of these Lessons in the "American Law of Assemblies" is to instruct—not bewilder; to commence at the bottom and build upward; to assist the student to acquire a knowledge, not only of the law itself, but of the basis upon which the superstructure rests. In other words, to point out, not only the *How!* but the *WHY!* the *WHEN!* and the *WHERE!* To this end, they are, in the main, confined to the law applicable to ordinary gatherings—to the every-day single assembly—instead of the more complex legislative system. Nothing will be found herein, however, which the legislator does not need to know. Even the legis-

lator needs first to be well-grounded in general principles—then he can easily master the special rules and practice of the dual-assembly.

“Instruction” being the object in view, topics are discussed in their logical order, regardless of their so-called “classified order” for reference purposes. Frequently, one topic is divided, and taken up in installments, when the student is prepared for them. Sometimes, a statement is iterated and reiterated, in order the better to impress it on the student’s mind. In like manner, the duties of the presiding officer accompany the topics, instead of being grouped in one lesson which few would remember.

The Manuals of modern writers—including those of CUSHING, REED, WAPLES, ROBERT, CROCKER, and a host of lesser lights—have been freely consulted, and many of their best thoughts have been utilized. Generally speaking, writers agree upon what the law is; but they occasionally differ, and, at times, radically. As a rule, when differences exist, a middle-ground, based on the consensus of opinion, has been taken; save when they could not be reconciled, in which cases, both sides are stated, and the reasons are given for the position taken.

At the close will be found a “Parliamentary Ready-Reference Table,” with notes, which (together with the many “Forms and Illustrations”) will be found useful, not only by beginners, but by advanced students who wish to refresh the memory. Over one thousand questions are answered therein; embracing nearly all questions likely to arise. Practically it is an ordinary “Manual,” condensed to less than a score of pages.

"The enormous number of social and deliberative assemblies, which are not legislative in character, must have some definite plan of procedure. In all such bodies there arise numerous cases involving doubt as to the correct rule."—
AINSWORTH.

FORMS, EXAMPLES AND ILLUSTRATIONS.

[See, Also, "Ready-Reference Table," and "Notes."]

[FIGURES REFER TO PAGE NUMBERS.]

ABUSE OF AMENDATORY MOTIONS.—Illustrations, 95-97; Dila-
tory Motions, 97-99.

ADJOURNMENT.—Not in Order, 203; To Fixed Time, 202; To
Time Certain, 204; Fixing Time for Re-Assembling, 205;
Fixing time for Adjournment, 206; Dissolution of Assem-
bly, 207; Notice of Reconsideration of Another Motion,
203; By Chairman, Clerk or Member, When No Quorum,
109; Example for Lodges, 110; When Ordinary Main Mo-
tion, 206.

AMENDMENTS.—Common Forms, 46-49; By Addition, or In-
sertion, with Illustrations, 50-52; By Elimination, or Strik-
ing Out, with Illustrations, 54-60; By Striking Out and In-
serting, with Illustrations, 61-66; By Division, with Illus-
trations, 69-76; By Substitution, 77; Use of the Word
"Not," with Illustrations, 87, 88; Putting Question Seria-
tim, on Amendments and Main Motion, 89.

APPEAL.—Right of, 124; Form, with Illustration, 132; Tie
Vote, Chair Sustained, 134.

ASSEMBLIES.—Formula for Simple (or Single) Organization,
103; Double Organization—Temporary and Permanent, 105-
108.

CLASSIFICATION OF MOTIONS.—General, 153; Subsidiary, or
Secondary, 154; Incidental, 181; Privileged, 192; Miscel-
laneous (Not Otherwise Classified), 212; Classified Ac-
cording to Purposes and Uses, Lessons 37 and 38.

COMMITTEES AND COMMITMENT.—Appointment, 245; Chairman,
246; Forms of Commitment, 164; Stating Question, 165;
Instructions, 242.

COMMITTEE OF THE WHOLE.—To Resolve Into, 261; Chairman,
262; Motions in, 263; Reports, 267.

[See Also, "Ready-Reference Table," and "Notes."]

CONFERENCE REPORT MOTIONS.—When and How to Use Them, 281.

DEBATES.—When Time Unlimited, 115; Confined to Pending Motion, 116; Dividing Recognitions, 117; General Explanations, 119; Yielding the Floor, with Illustration, 120; Regulating, 237; Suppressing, 290.

DISORDER.—Words and Acts "Taken Down by Clerk," 135, 145, 148; General Charge, "Disorderly Conduct," 136, 146; Procedure, 145; "Naming a Member," 145; Explanations, Retractions, Disclaimers and Apologies, 136, 146; "Shall the Words Stand?" 146; Determining the Question, 146; Penalty, 147; Dismissal of Proceedings, 148; Condonement, 150; Applicable to Lodges.

DIVISION OF THE QUESTION.—General Form, and Illustration, 160, 161; Substitute, 162.

DUPLEX-MOTIONS.—"Two at a Time," 230; How Made, 230; Reconsideration Proof, 231.

EMERGENCY MOTIONS.—General, 209; Disorder, 210; Adjournment Without a Motion, 211.

FILLING BLANKS, IN "SKELETON MOTIONS."—By "Suggestions," 80; Blank Amounts, with Illustrations, 81; Blank Dates, Illustrated, 81; Name and Place, with Illustrations, 83.

INFORMAL CONSIDERATION.—Chairman, 268; Motions During, 268; Determining On, 237.

INQUIRIES AND EXPLANATIONS.—Personal Explanations, with Illustrations, 138; Questioning Officers and Grand Officers, 140; Business Procedure, with Illustrations, 141; Parliamentary Inquiries, with Illustration, 143; Lodge Illustration, 143.

MEASURE.—To Introduce, 285; To Modify or Perfect, 287; To Suppress, 287; To Defer Action on, 292; To Expedite, 288.

METHODS OF CONSIDERATION.—Fixing, Extending and Limiting Time For, 234; Whether in Assembly, Committee of the

[See Also, "Ready-Reference Table," and "Notes."]

- Whole, or Informal, 234; By Paragraphs, 238; To Suppress, 286; To Resume, 296.
- MINUTES.—Approving and Correcting, 219-221; To Rescind, Annul or Expunge, 218.
- OBJECTION TO CONSIDERATION.—When and How, 11, 183; Form, 12; Putting Question of, and Vote, 12.
- ORDER OF BUSINESS.—General, 275.
- ORDERS OF THE DAY.—[In Lodges, "Unfinished Business."]—Right of Way, 193.
- ORDINARY MAIN MOTION.—Obtaining the Floor, 3; Noticing a Member, 3; Overlooking, 3; Recognition, 4; Making a Motion, 6; Seconding, 15; Stating the Question, 16; Incorrect Forms of Motion, 17; Preliminary—"Are You Ready?" 21; Putting the Question, 22, 23; Taking the Vote, 23, 41; Announcing the Result, 42; When "Division Is Called For, 42; Announcing the Result, After Division, 42; Reconsideration, 44, 213.
- PARLIAMENTARY EXPLANATIONS.—Form and Illustration, 138.
- PARLIAMENTARY INQUIRIES.—Form and Illustration, 143; Lodge Illustration, 143.
- PARLIAMENTARY SUGGESTIONS.—Form and Illustration, 19; Detailed Illustration, 20.
- PETITIONS AND COMMUNICATIONS.—Received and Not Received, 277; Not to be Read, 278.
- POSTPONEMENT.—Definite, Ordinary Form, 166; Abuse of Definite, 273; Indefinite, 157; Effect of, 157.
- PREVIOUS QUESTION.—General Formula Illustrated, 169; Old Form, 170; How It Works, 172; English Method, 174.
- QUESTIONS OF ORDER.—Calling Member to Order, and Illustrations, 123; Improprieties, 124; Interruptions, 128; Calling Chair to Order, 129; Minor Personalities, 134.
- QUESTIONS OF PRIVILEGE.—Relating to Assembly, with Illustrations, 197-199; Relating to Member, with Illustrations, 197, 198.

[See Also, "Ready-Reference Table," and "Notes."

READING OF PAPERS.—Call-Motion, 184; Illustration, 185.

RECESS MOTIONS.—Three Forms, 202.

RECONSIDERATION.—General, 44, 213; Form and Vote, 216; In an Emergency, 214; Notice of Motion, 203, 217.

REPORTS OF COMMITTEES.—Receiving, 251; Accepting, Approving or Adopting, 252; Amendments Reported, 256; Majority and Minority Reports, 259.

SPECIAL ORDERS.—Call Illustrated, 195; Detailed Illustrations, 271.

SPECIAL RULES.—Adoption of, 274.

SUBSTITUTE MOTIONS.—When and How, Illustrated, 90-92.

SUSPENDING THE RULES.—When and How, 188; Form, 189.

TABLING A MOTION.—Perfect Form, 177; Form and Illustrations, 178.

TABLING MOTION, SUBJECT TO CALL.—General Formula, 179.

TAKING MOTION FROM TABLE.—When and How, 222; When Tabled, "Subject to Call," 223.

TAKE UP OUT OF REGULAR ORDER.—General Form, 224. [Practically, a Suspension of the Rules.]

VOTING METHODS.—Silent Assent, 25; Viva Voce, 25; Acclamation, 26; Show of Hands, 27; "Usual Sign," 27; Dividing the Assembly, 27; Roll-Call, or Yeas and Nays, 30; Substitute Roll-Call, 31; Convention Formula, 32; Ballot and "Secret Ballot," 32; Closing Nominations, 33; Counting and Reporting, 35; Informal Ballot Made Formal, 35; French System, 36; Majority Rule, and Two-Thirds Rule, 225; Unusual Motions, 227.

WITHDRAWAL OF MOTION.—By Mover, 15, 187; Seconder's Consent Not Needed, 15, 187; Formula, 187.

It is Not Necessary for Every One to Become an Expert Parliamentarian, but certain fundamentals of parliamentary procedure should be familiar to every one.—H. R. SHATTUCK.

AMERICAN LAW OF ASSEMBLIES.

PARLIAMENTARY LODGE - LAW.

NOTE.—When these Lessons are used in an Assembly, for Class-Instruction, one Lesson should be read at a meeting (not necessarily by the Secretary), in a clear and distinct tone, and be followed by a short discussion on the topics contained in such lesson (if any members are in doubt), but not on topics not yet reached. Later, it will be well to have Short Parliamentary Drills—for Instruction, not for Mischief—the members alternating as “Mr. Chairman.”—EDITOR.

AMERICAN LAW OF ASSEMBLIES

For Lodges and Public Meetings.

LESSON I.

Parliamentary Law is No Longer Vague and Uncertain. It is now a branch of the common law, and as well settled as any other. It may be known and determined beforehand, with facility and certainty.—LUTHER S. CUSHING.

ORDINARY MAIN MOTION.

“Action” begins with “Motions.” Let us ascertain what a motion is—the “motion” by which a measure is presented to an Assembly.

When a “Proposition,” or measure, is presented to an Assembly it is called a “Motion” if it relates to petty affairs; and a “Resolution” if of supposedly greater importance. They differ only in name;—each is an “Ordinary Main Motion,” and governed by the same rules.

An “Ordinary Main Motion,” sometimes called the “principal motion” or “principal question,”—and for convenience, the “Main Motion,” or “Original Motion,”—“Takes Precedence” of Nothing!

It can only be presented when the Assembly is prepared to transact business, and when no other question (or business) is pending;—and, if the Assembly has an “Order of Business,” only when the proper “order” is reached.

Why? Because “One Thing at a Time, and Everything in its Order!” is a fundamental rule.

The Main Motion must comport with the Purposes of the Assembly, as stated in its call or rules. Its time “must not frittered away on topics foreign to its purposes;” a meeting to devise methods for the relief of the poor is not to discuss the fashions of the day,—politics are out of place in a non-political assembly,—and religious topics are seldom in order in a political convention.

When a Main Motion (or any motion) is decided, it is not to be again presented on the same day; even if no other business is at hand. The Assembly is presumed to have “considered” it before reaching a decision; and, having done so, no time should be wasted.

The rule is that “What is Done Must Stay Done!” Otherwise, little progress might be made;—other methods provide how Mistakes may be rectified.

The rule that a motion shall not again be presented on the same day applies also to an Equivalent motion. If the purport is the same, the motion is; and the mere change of the words used will not change the

motion itself. On the other hand, the words may be the same and the motion different, because of changed conditions ;—a motion to “proceed with initiation,” when no candidate is present, is not the same motion after the candidate arrives.

OBTAINING THE FLOOR.

An Ordinary Main Motion is the “First Step Toward Action.” The “Mover,” or member who “starts the motion,” must first “Obtain the Floor.” To do this, he must Rise, when no question is pending and when no other member has risen—because of “one thing at a time,”—Face the Chair, and Raise his Hand. He does this to show that he “Desires to be Noticed,” since he may be simply changing his position.

When “Noticed” by the Chair—not Orally, but by a Glance, a Nod, or a Wave of the Hand—he should at once say, “Mr. Chairman!” remain standing, and await “Recognition.” When “Recognized,” he has “obtained the floor.” [Of course, the proper title is to be used, if “Mr. Chairman” is not authorized.]

The Chair is presumed to be impartial and to treat all members alike ;—a violent presumption at times, especially in a political gathering. He should remember that the rule is “First Up, First Recognized,”—and make an exception when “fair play” demands it.

A fair Chairman may “Overlook” a member, but will not “Ignore” him. If an unfair Chairman does

so, the member must not suggest, much less charge, that he was intentionally "ignored." Some Chairmen are "near-sighted" while others are so "far-sighted" as to frequently "overlook" members who should be "noticed."

It must be borne in mind that when two rise and one is "noticed" the other is not even "overlooked"—but, ordinarily, he should be the next one "noticed," even though another rise first.

RECOGNITION.

"Recognition" depends largely on the surroundings. In some assemblies the use of names is to be avoided, and a member mentioned as—

"The gentleman from——."

Or, "the gentleman on my right."

Or, "that gentleman," (designating him by a motion of the head or hand, or by other impersonal words).

The purpose is to avoid invidious distinctions and high-sounding titles, since all are on one footing.

If titles are used, they should be uniform, as "Senator," "Representative," "Alderman," "Mister," etc.,—not "Senator," "Judge," "General," "That Man," "Mister," and "You," in the same gathering.

When, as in a convention, the Chair knows few of the members, he should avoid the use of names. When names are used, if he has occasion to "notice" a member whose name is unknown, he should, before

"recognition," ask "Name, please?" and then recognize him by name.

In Lodges it is proper to say "Brother —," or "Sister —," or other authorized prefix; and in local gatherings (wherein those present are presumably known to one another) the term "Mr. —" is proper. In any event, the same general term is, when practicable, to be applied to all members.

Officers (and Grand Officers, when officially present,) should be addressed and spoken of by their proper titles, and so spoken of in their absence; but a Grand Officer, when attending his own Lodge as a member, is to be addressed as are other members.

A Past Officer—especially when in his own Assembly—should be mentioned as "Brother —," or other ordinary term, and not as "Past This" or "Past Grand That;" unless performing some special function which may render the distinction proper.

By courtesy, Visitors (who are practically guests) may be addressed or mentioned by their present or past official titles.

In a few words, all members of the Lodge itself, not actually holding office therein, are on the same level. That is the American doctrine of Equality, and applies to all Assemblies, legislative or otherwise.

MAKING THE MOTION.

When "Recognized" by the Chair, a member should at once present his motion (in as few words as

practicable—and, generally, without explanation) and take his seat.

There is no special form for making a motion, essentials being the main thing—not the particular words; but the words must be such as to show what is desired. Incidentally it may be stated that the Law of Assemblies in but few cases provides an arbitrary formula; and that common forms for main motions are:

“I move that—,” [stating what.]

Or, “I move the adoption of the following: Resolved,” etc.—reading it and handing it to the Clerk;

Or, “I offer the following, which the Clerk will please read.”

It is not proper to say, “I move you that,” or, “I motion you that,” etc. Nor to say “I beg leave to offer——.” If the member has been “recognized” he needs no further permission to make a proper motion—and he cannot obtain leave to make an improper one.

Subject to “Objection,” (or, “By Courtesy” only, —that is, “notwithstanding the rule,”) the mover (before or after making his motion—and before it is seconded,) may explain its purpose.

He is only to so explain when the Chair is satisfied that time will be saved thereby.

Any member may require the the enforcement of the strict rule, which forbids either “explanation” or “argument” before a motion is “Stated by the Chair.”

If a member is not "noticed,"—no other being "recognized,"—he may, without notice, say "Mr. Chairman!" and await recognition; but (if another member has also risen) he must not do so before a chance for the recognition of the other is given.

When a member is satisfied, not only that he is unfairly treated, but that the Assembly thinks likewise, he may "obtain the floor" on a "Point of Order"—not that he was "ignored," as that would be a "reflection on the Chair," but that he is "entitled to the floor, but was 'overlooked' by the Chair."

MOTIONS—WHEN IN WRITING.

Every Main Motion (the proposition itself—not the motion to adopt it) in legislative and other assemblies, wherein proceedings are recorded in detail, must be in writing; but, in assemblies in which only the substance is to be recorded, it is largely a matter of usage—at the discretion of the Chair and of the Assembly itself.

The general custom is to permit the Chair to entertain any oral motion which can be readily stated by the Chair and recorded by the Clerk.

The Chair may even permit lengthy motions to be "Taken Down" by the Clerk, if time will allow and no member objects; but, if objection is made, the motion must be reduced to writing and the member "loses the floor,"—unless the Assembly is willing to wait, and allows it to be "taken down."

Routine Motions—to be explained herein later—need not be in writing. Nor motions which can be stated verbatim—nor any other motion, if the Assembly so directs.

The object of the rule is to compel members introducing lengthy propositions to prepare them in advance and not take up the time of the Assembly. When there will be no considerable delay (as there cannot be if the motion is short) no necessity exists for its strict enforcement; yet it may be enforced, especially when other business is pressing—or the hour is late.

When in writing, the motion may be read by the mover before being handed to the Clerk, but ordinarily should not be—because (even though so read) any member may require it read once by the Clerk, “as more likely to be heard.”

An Oral Motion should be “taken down” by the Clerk at once—before it is stated; and erased, (as a written one should be,) if it is not stated. After it is taken down, any member may require it to be read, to the end that it be correctly recorded.

NOTE.—Necessarily, many terms (such as “Objection,” “Stated,” “Point of Order,” “Appeal,” etc.) are used in advance of their explanation; as other terms will be in subsequent Lessons. They will be fully explained at the proper times.

LESSON II.

As the "Mouth of the Assembly" the Presiding Officer Communicates its Thanks and Expresses its Censure, its Reprimands and its Admonitions. He is in fact the representative of the assembly itself, in its powers, its proceedings, and its dignity.—MAY.

"MR. CHAIRMAN."

An old-time English writer says: "The Chairman is not only the Mouth, but the Eyes and Ears of the Assembly; but he hath neither eyes to see, ears to hear, nor mouth to speak, but as the Assembly shall direct him."

When any question (calling for a ruling) is raised, the Chair should rule promptly, and if any member is aggrieved he can "appeal to the Assembly." The Chair must see that no time is wasted, and not allow business to proceed in a slipshod manner. He should be "quick of eye to note who rises, quick of speech to declare him entitled to the floor, and preserve his temper," regardless of surroundings.

While the Chair is to "guide the Assembly," he is "not in absolute control." He should seldom "air his views," or make a show of his supposed ability. If of real ability the members have discovered it, or will;—and, if he only thinks so, he should not masquerade. Under all circumstances, he should be ab-

solutely fair; even though the Assembly itself be influenced more by its interest in the pending measure than in enforcing correct practice in disposing of it.

Necessarily, the Chair has large discretion—subject to the will of the Assembly—in entertaining motions, etc., and should so use it as to expedite business. No trivial, absurd or unbecoming motion is to be entertained; nor should one be made in the form of an argument, or contain irrelevant or redundant matter—but a motion, entertained and debated without objection, cannot later be declared out of order because of its form.

When a motion is manifestly improper—because not in keeping with the Purposes of the Assembly, or otherwise plainly out of order—the Chair should not wait for members to object, but promptly rule it out “of his own motion.” He should do so before the whole motion is made, if quite lengthy; but, in all cases, he should give the mover “the benefit of any reasonable doubt.”

At any time when “Objection” is made, (on a “Point of Order,”) the Chair must rule—for or against the objection—subject to an “Appeal” to the Assembly. He can only rule out a motion, “of his own motion,” before he “States the Question.” After that it is too late for him to act. He has “had his day,” and the motion is now under control of the Assembly itself.

OBJECTION TO CONSIDERATION.

The peculiar motion known as "Objection to Consideration" is mentioned here, since here is the place to make it—that is, before the main motion is fully made, if practicable. The term must not be confounded with the ordinary "objection" by "point of order." That pertains to form, method or time, and sometimes propriety, while an "objection to consideration" is aimed at the subject-matter itself, its purpose being to exclude a motion which is obnoxious in itself, and to avoid scandal, vile statements or abuse of privilege. In the language of Col. ROBERT, a well known authority:

"The object of this motion is not to cut off debate (for which other motions are provided) but to enable the Assembly to avoid altogether any question which it may deem irrelevant, unprofitable or contentious."

He adds:

"It is only in order when the principal motion is first introduced—before it has been debated—and can be made while another member has the floor; and does not require a second."

WHEN AND HOW MADE.

"Objection to Consideration" should be made, if at all, before the question is "stated;" but may be made immediately afterwards or before any debate has been had. After debate has been entered upon, this method of suppressing the question is no longer available.

When, in the opinion of the Chair, the main motion is manifestly obnoxious, he should rule it out, of his own motion, and stop its further reading.

If the Chair fails to act, any member may rise, and, without notice or recognition, at once (even though interrupting the mover or the reading of the motion) say :

"Mr. Chairman: On that I raise the question of consideration!"

Or, "I object to consideration!"

He must at once take his seat, without giving any reason for raising the question, since the language of the main motion will speak for itself, if really obnoxious.

The Chair, without waiting for a second, and without debate or comment, must (unless the motion is at once withdrawn) immediately put the question. The ordinary form is :

"The question of consideration is raised. Shall the question be considered? [No pause.] All in favor of consideration, will say Aye! Contrary, No!"

Or, "The gentleman raises the question of consideration. As many as are in favor of consideration," etc.

If two-thirds of those voting vote "No !" the motion is not to be considered. If less than two-thirds vote "No!" no record is to be made of the objection, nor of the vote thereon, and the main motion is to be at once stated and considered.

If the objection is sustained (the main motion not having been stated) no record is to be made of the

presentation of the main motion, nor of proceedings thereon—that being the special purpose of “objection” in this form.

The rule is that a motion is not the property of the Assembly until stated, and therefore not to be entered on the minutes; and it would be absurd to exclude the main motion and yet make a record of the objection.

If, however, the objection is made after the main motion has been stated, and the objection is then sustained, the record should show the facts, because the main motion has become the property of the Assembly.

Even then, the Assembly might, by vote, direct the Clerk to omit the facts from the record—because an attack upon decency and orderly procedure—and, in such a case, the Clerk would also be required to omit the motion directing him what to do.

REED'S RECORDING RULE.

Incidentally, Ex-Speaker REED's “Record-Rule” may be of interest. It is as follows:

“What has been proposed and not regularly presented or acted upon, and what has been said which has not resulted in any act—either of endorsement, [consideration] or rejection—has no place on the journal. Such is the strict rule, and should always be followed.”

It should be remembered that “regularly” means “properly,” and that “rejection” comes after “consideration”—never before.

[To prevent misunderstanding, it may be stated, out of its proper order, that an exception to the rule obtains when words are to be "taken down" to enforce discipline.]

It is commonly said that "objection to consideration can only be made to a main motion and not to other motions." This is so, as a general proposition; but a proposed amendment which is, in itself, obnoxious, can be objected to in the same manner, before it is stated, and like proceedings had. They have no effect on the main motion; if the objection is sustained, the amendment is disposed of, and, if not, it is still before the Assembly.

In the national House of Representatives, by a special rule and not by general parliamentary law, "objection to consideration" may be made, not only to obnoxious motions, but to any question before its consideration has been entered upon. In the absence of a special rule it must be confined to obnoxious motions—in theory at least.

SECONDING THE MOTION.

The "Second Step Toward Action" is "Seconding the Motion," which must be done before the main motion is "stated," because if it have only one supporter—that is, no second supporter—it is useless to devote any time to its discussion. An exception is

made with mere routine motions, and motions manifestly having support ; and such motions require no seconding.

In Seconding a Motion a member should rise, face the Chair and (without delay or notice) say : "Mr. Chairman !" and await Recognition. Then add "I second the motion !" and take his seat, without explanation or remark. No delay is necessary, because the Chair is awaiting a second, and the conditions suggest the purpose of the member.

If no seconder, the Chair may ignore the motion—not the mover. Ordinarily, however, he will ask "Is the motion seconded?" or, he may treat it as seconded by himself.

Until a motion has been "stated" the Mover Has Control of it, and may Modify or Withdraw it ; and this without the consent of either seconder or Assembly. When modified, the seconder may withdraw his second; and when withdrawn, the seconder may renew the motion. In either case it must again be seconded.

[The prevalent idea that the consent of the seconder is necessary, for the withdrawal of a motion, is not based on parliamentary law, but on a special rule of the national House of Representatives, which simply requires a vote on the motion to withdraw, when the consent of the seconder is asked and refused.]

"If the Chairman rises to speak, the member standing is to sit down, that he may first be heard."—JEFFERSON.

LESSON III.

A Beginner Does not Know the Simpler Things and Needs Them Most. If the student has once fixed in his mind the idea that parliamentary law is not a series of arbitrary rules—but a plain, consistent system, founded on common sense, and sanctioned by the experience of mankind—he will have gone far toward understanding it.—THOMAS B. REED.

STATING THE QUESTION.

The Main Motion having been “Seconded,” (and, if desired, modified,) the Chair “States the Question” which is the “Third Step Toward Action,” and the mover loses control. The motion is then the property of the Assembly, and can only be withdrawn by consent of the Assembly. When withdrawn, it is not renewable on the same day—withdrawal being “action thereon.”

After the motion (or any amendment thereto) has been voted upon (in whole or in part) it cannot be withdrawn, except by unanimous consent; but it may be quickly gotten out of the way, as we will discover.

There is no arbitrary form for “stating the question,” but it must be fairly and intelligently stated. A common form is:

“The motion is —.” [The Chair should give it in full, if practicable; and, if not, he should give the substance.]

Or, “The question is on the adoption of the motion,” [or “of the motion just read.”]

Or, "The question is on the adoption of the resolutions, which the Clerk will now read." [The Clerk reads them.]

While quite common it is not good form to say, "It is moved and seconded," etc. If not properly "seconded" the Chair would not "state" it. [Nor should the fact that it is seconded be entered on the record; that is presumed.]

Neither is it good form to say, "It is moved by —, and seconded by —, that," etc., for the additional reason that a measure should stand or fall on its merits, and unnecessary prominence should not be given to the names of its supporters.

It sometimes happens that a motion will be more readily described by naming the author, as "The question is on the motion of Brother —. Are you ready for the question?" when it is permissible because it saves time—the important item.

[It may be mentioned here, somewhat in advance, that the same rules apply to the "stating" of all motions.]

An Entire Motion need not be stated (if the substance will suffice) unless objections made. An "entire motion" is the then pending motion, and not necessarily the proposition itself.

Suppose a proposition to have been reported upon favorably, and a motion made to adopt the report; the "pending motion" is "that the report be adopted," and does not include the proposition itself.

But, if the proposition itself is not understood, any member may require that it be read, or a statement of its contents made.

The Chair need not rise when "noticing" or "recognizing" a member, nor when "stating the question." He should rise if the question is important, or when making any special announcement; and also when addressing visitors.

PARLIAMENTARY SUGGESTIONS.

While the main motion is not yet debatable, because not stated, the mover may avail himself of a simple method of expediting business which should be better understood; but one in which the rule must be enforced or its purpose will be defeated, its purpose being to save time by quickly getting the measure into acceptable shape, without debate or amendment.

The main motion being under control of the mover, (and perhaps not even seconded,) he may accept "Suggestions" from other members, and hold the floor for that purpose, if no objection is made.

Even the best posted members are often aided by "suggestions" which will enable them the better to secure favorable action :

"That the motion be withdrawn and presented later."

Or, "That it be considered in connection with —," etc.

Or, "That the matter is now being considered by a committee."

"Suggestions" of this character are not motions, although ostensibly made by other members to "improve" or "perfect" the motion. They are often made to help out an inexperienced member. A

measure may require consolidation, transposition or revision—a misplaced phrase may be stricken out and inserted elsewhere; or a motion, though brief, may be manifestly improperly worded. It is, however, at times dangerous to accept suggestions, and the mover must be watchful lest he accept any looking to the defeat of his measure.

The object being to save time, “suggestions” are made and responded to through the Chair, and never direct, so as to avoid discussion; they must be made without explanation or argument, yet the suggestion may contain but conceal both.

The proper form is to rise, face the Chair, and (the purpose being to save time) at once say :

“Mr. Chairman: I suggest that the motion be so modified as to—,” etc.

Or, “I suggest that, if it is intended to—, the motion should be so modified as to—,” etc.

The mover of the main motion responds, through the Chair.

“Mr. Chairman: I accept the suggestion.”

Or, “I cannot accept the suggestion.”

Or, “I accept so much of the suggestion as—,” etc.

The number of “suggestions” is limited, at the discretion of the Chair, who may at any time “state” the question; or they may be stopped by objection.

The Chair should not allow “suggestions” to delay business; but should not interfere because they tend to “load” the main motion so as ultimately to defeat it—the mover must look out for that.

ILLUSTRATION.

Moved, That a committee be appointed to arrange for an entertainment.

Suggestion—"Mr. Chairman: I suggest that the gentleman make it a committee of five."

Member—"Mr. Chairman: I accept the suggestion."

Suggestion—"Mr. Chairman: I suggest that our presiding officer be chairman of the committee." [Accepted.]

Suggestion—"Mr. Chairman: I suggest that it be in the form of a picnic."

Member—"Mr. Chairman: I cannot accept the suggestion; I do not approve of it."

Suggestion—"Mr. Chairman: I suggest that it be for the members and their families only." [Accepted.]

Suggestion—"Mr. Chairman: I suggest that it be held in this hall, on Anniversary Day." [Accepted.]

Here are five "suggestions," each of which might (in the form of an amendment, and discussion thereon) have consumed considerable time. The Clerk has kept track of those accepted; and the motion, as modified, is:

Moved, That a committee of five, with our presiding officer as Chairman, be appointed to arrange for an entertainment to be held, for members and their families only, on Anniversary Day, in this hall.

[It is of course, still subject to amendment, but in all probability much time has been saved.]

CONSIDERATION.

Having "Stated the Question," the Chair makes a brief pause, to enable members to interpose other motions—if other motions are in order—or to raise "points of order," if they are so disposed. Whereupon, if the main motion is not debatable or amend-

able, he should at once "Put the Question." If, however, the motion is subject to amendment or debate, or both, instead of putting the question, he should say :

"Is the Assembly ready for the question?"

Or, "What is the pleasure of the Assembly?"

Or, "Is the Assembly prepared to act?"

Or, "Are you ready for the question?"

The question, having been "stated," is before the Assembly for "Consideration," which term includes not only debate and amendment, but the "method of consideration," the "limiting of debate," and all proceedings prior to the time when the Assembly (that is the majority) is "Ready for the Question"—or ready to vote upon the main proposition.

As a general rule, in assemblies not of a distinctively legislative character, the majority is "ready" to vote on a proposition in the form in which it is presented, and if the minority undertakes to kill time (by means of "dilatatory motions," or what is known as "filibustering") methods are provided for forcing a vote.

For convenience, we will consider the Assembly as "ready for the question," and take up the subject of "consideration," from time to time, in connection with other topics.

"Consideration precedes Action. No important step should be taken without due 'consideration'."—BARCLAY.

LESSON IV.

To Become a Parliamentarian, One Must Have a Ready Knowledge of Motions, their rank, purpose and effect. Anyone who possesses it can preside over a deliberative body with ease and skill, or take part in the proceedings.—JOHN L. BRANCH.

PUTTING THE QUESTION.

If the pending motion is debatable or amendable, or subject to the interposition of other motions, opportunity must be given therefor; and when pauses occur, the Chair should, from time to time, ask:

“Have all members spoken who desire to be heard?”

Or, “Is the Assembly now ready for the question?”

Or, Any remark which is, in substance, a notice that, unless a member at once claims the floor, the question will now be put.

The Assembly being “Ready for the Question,” which is shown not by the members calling “Question! Question!” (which is always improper,) but by “Silent Assent”—that is by no one rising to discuss it, or to make any other motion concerning it—the Chair rises to “Put the Question,” which is “the Fifth Step Toward Action,” “Consideration” being the Fourth.

After the Chair rises, no member can be heard, unless injustice has been done. If a member is improperly deprived of an opportunity to obtain the floor, (as will presently appear,) subsequent action on the motion becomes a nullity, unless the wrong is righted.

If, following the question "Are you Ready ?" etc., or other inquiry of the same general nature, the Chair made a proper pause, it is now too late for either motion or debate—the time for that was during the interval; but, if no pause was made, or if any member desiring the floor was "overlooked," he may still "claim the floor" on a point of order, and (if sustained by the Chair, or on appeal,) the Chair must be seated, and an opportunity given. The Chair must obey as well as enforce the rules, or he is out of order, and subject to censure or removal.

In "Putting the Question"—that is, putting it in the hands of the Assembly for its determination—the Chair must be guided by circumstances. No one having risen, or all so desiring having been heard, the Chair adds, after the pause :

"All in favor of the motion will say Aye ! [Pause.] Contrary, No !"

If there has been considerable delay, the Chair should again state the question, and put it to vote :

"The question is on the adoption of the motion, which is [briefly designating it.] As many as favor the same will say Aye ! [Pause.] Contrary, No !"

Again it may be said, there is no prescribed form, but it must be so worded as to be fully understood ; and, if not, any member may (without rising) interrupt the Chair, at any time before the affirmative vote is actually taken, and have it properly worded.

WHY THE PAUSES ARE MADE.

It may seem unnecessary to make a pause after the stating of a question which is not amendable or debatable. It is necessary, because members may desire to postpone its consideration. The purpose of the pause after "Will say Aye!"—like the pause after "Are you ready?"—is to protect the rights of members who may claim to have been "overlooked."

A vote is not a vote until both sides are taken. It must be taken deliberately; and if a member has been "overlooked"—or if the entire Assembly has been "overlooked"—by the Chair, in endeavoring to hasten action, the floor may be claimed after the negative vote has been taken—but it must be before the result is announced. If entitled to the floor, the member is to be accorded it, and may demand another vote afterwards, the first being void.

The reason for the rule is, that nothing shall be done which infringes on the rights of an individual member—if business is to be "rushed," it must be pursuant to other rules.

"Of course no pause is to be made after "Will say Aye!" when the motion is not debatable, since no member would be entitled to the floor.

VOTING METHODS.—"SILENT ASSENT."

The simplest form, of the six recognized methods of voting, is that known as "Silent Assent," as where the Chair says :

"It will be taken as the sense of the Assembly, unless objection is made. [Pause.] The Chair hears none—and it is so ordered."

Or, "So ordered, unless objection is made."

[If one member—without rising—says "I object!" a vote must be taken.]

When the rule expressly provides how a vote shall be taken, "silent assent" will not suffice on any save mere routine motions. [The record is not to show "silent assent," but that the motion was "adopted," or "adopted unanimously."]

VOTING BY VOICE, OR "VIVA VOCE."

The recognized parliamentary method of voting, on all ordinary questions, is that known as "viva voce," the method by which members respond orally when called upon by the Chair, and the one used for convenience in these Lessons. In the absence of a special rule, this method applies to all cases other than by "Silent Assent," and "Division of the Assembly;" and to "Ballot Voting," when officers are to be elected, or other "secret-vote" had.

What is known as "Voting by Acclamation," or "by Shout," is not known to parliamentary law. Even in a political convention (if there are more candidates than places) the Chair should rule that a motion "that — be elected by acclamation" is out of order (because in derogation of the rights of other

candidates and their friends,) and should observe the following formula :

If there is only one candidate, the Chair should entertain the motion, but put it "viva voce,"—not that "It is moved that — be elected by acclamation," but "that —, being the only candidate, be declared elected. [Pause, during which other candidates may be nominated, unless a special rule prevents.] Are you ready?" etc. [The Assembly may desire to postpone action.]

If more candidates than places, (in the event of any question as to method, and in the absence of a special rule,) the Chair should ask: "How shall the election be had?" and govern himself accordingly;—the Assembly thereby making a special rule for the special occasion.

VOTING BY "SHOW OF HANDS."

This method differs from the viva voce method mainly in form; or by substituting "signs" for "sounds"—the Chair depending on the eye instead of the ear.

Instead of "will say Aye !" the term used is "will raise their hands," (meaning one hand only,) and instead of "Contrary, No!" the term "Contrary, Same!" [By strict rule, only the "right hands" are to be counted; and, in some gatherings, the Chair must guard against counting both hands of one member.]

This method of voting is generally resorted to when "the Chair is in doubt!" but members are seldom required to rise, as they are in the case of a "vote by division."

It is also common in so-called "executive sessions"—to prevent reporters, and other "eaves-droppers," gaining information, or "pointers," by the volume of sound.

In many assemblies what is known as a "Voting Sign," or "Usual Sign," or "Sign of the Assembly," is used in place of a "show of hands." Generally that is what it really is—the peculiar "show" varying in different assemblies. When such a sign is used, the Chair should say:

"All in favor of the motion will give the Voting Sign!" [or, "the Usual Sign!" or, "the Sign of the Assembly." Pause.] Contrary, the Same Sign!"

The form should accord with the responses proper to be made;—to call for the "usual sign," when the response is to be by "sound" and not by "sign," is an absurdity, yet often witnessed.

"DIVIDING THE ASSEMBLY."

The method known as "Voting by Division of the Assembly," is seldom resorted to save to determine an otherwise doubtful vote by a simple form of counting the total number for and the total number against a proposition, as in cases when members call for a "division," pending the announcement of the result of a vote.

When properly called for, the Chair will say:

"A division is ordered. All in favor of the motion will please rise." [They rise, raise right hands, remain stand-

ing until counted by the Chair or tellers, and are seated by sound of the gavel.] "All opposed," etc. [Same procedure.]

The division may be by a show of hands, by a rising vote, or by separation into groups. Members not voting, when a division of the Assembly is ordered are to be ignored and not counted either way (unless there is a special rule to the contrary,) which rule applies to all methods of voting.

In the national House of Representatives a "division" is generally had by requiring those voting in the affirmative to pass between two tellers, who count and report them to Mr. Speaker; next the negative vote is ascertained in the same manner; and "then the stragglers pass between, each vote being separately reported to the Chair;" and, "when all have voted, the Chair announces that the tellers have reported, and states the result."

In the English Commons the members retire to "yea and nay lobbies," and their names are checked on their return—a system practically like our "Division of the Assembly."

"Where the private interests of a member are concerned he is to take no part. It is contrary, not only to the laws of decency, but to the fundamental principle of the social compact which denies to any man to be a judge of his own cause."—GREY.

LESSON V.

Men and Women Alike Need Such Knowledge of Parliamentary Law as will enable them to pursue the proper course under ordinary circumstances; and, generally speaking, they need no more, nor have they time to acquire more.—GEORGE G. CROCKER.

ROLL-CALL—"YEAS AND NAYS."

Voting by roll-call, or by "Calling the Yeas and Nays," is the method resorted to when it is desired to record how each individual member voted. It is seldom used except in legislative assemblies, wherein (by constitutional law, and not by parliamentary rule,) the yeas and nays are ordered on demand of one-fifth of the members—the theory being that legislators are servants of the people and that an easy method should be provided to force a record of individual votes.

Necessarily this method of voting consumes considerable time, each name being called in its order, the member responding "aye" or "nay" and the name being so checked as to show that fact. In the absence of a special rule, it can only be resorted to by order of a majority of the members present; so that, if delay occurs, the majority is responsible.

It is too late, after one or more names have been called and responded to, to re-open the debate, unless gross injustice has been done. Nor can the voting be

in anyway interrupted save, by "emergency motions," (which will be explained later,) in which event the "yeas and nays" which have been partially called would be ignored.

The general purpose of this method being to force members on record, and to show who are and who are not responsible for the action taken, it follows that the vote can only be properly taken when a list of the members has been prepared for the same; although, in conventions, the credential-lists are frequently used.

ILLUSTRATION.

Member, without "recognition,"—"Roll-Call!" Or, "Yeas and Nays!" Or, "Mr. Chairman: I call for [or "ask for," or "demand,"] the Yeas and Nays!"

The Chair—"The yeas and nays are called for!" [Pause. If no one objects, "Silent Assent" is presumed, and the Chair says, "So ordered," etc.]

If, however, there is one "I object!" the Chair [without "Are you ready?"—the call being "highly privileged,"] at once asks: "Shall the yeas and nays be ordered?" and, without pause, adds: "All who favor the call will say Aye!" etc. If the call is ordered, the Chair says: "The ayes have it, and the Clerk will call the roll! Those in favor of the motion to —, [or "which is —,"] will say Aye! as their names are called; contrary, No!"

The roll having been called and checked, an opportunity is then given for members to change their votes, (which can be done at any time before the Chair rises to announce the result,) and for those "not voting," (having "dodged" by not answering,) to vote, if they so desire—and, to "land on the winning side."

This opportunity is not given by announcement, but by a brief pause, during which any member may demand a re-call of the names of those who did not respond ;—they cannot be compelled to vote, (in the absence of a special rule,) nor can absentees be sent for, unless a special rule so provides.

In any event the names of those voting—for or against—as well as those “absent,” and those “not voting,” must be entered upon the minutes, the real object of a roll-call being to “put members on record.”

After the first name has been called, the call must be completed ; it cannot be interrupted, even by the arrival of the hour previously fixed for adjournment. When completed, the Clerk foots up the columns, and makes a memorandum, which he presents to the Chair.

The Chair then announces: “The vote stands, — in the affirmative, and — in the negative ; and the motion is adopted,” [or “lost.”] He does not say “the — appear to have it,” etc., because there can be no doubt.

SUBSTITUTE “ROLL - CALL.”

In an Assembly having no “roll” of members, a majority may order the “yeas and nays,” but, before the order is made, the Chair should suggest that no roll has been provided. If the call is then ordered, such expedient must be resorted to as the majority may determine—if the majority is willing to devote the necessary time the minority must submit.

A common expedient is to take down the names of those present, either before taking the vote or at the time of voting, members rising one at a time (under

direction of the Chair) and announcing their names and how they vote, the Clerk keeping a record thereof.

This method of voting should not be confounded with an order directing members to "vote as their names are called," (by ballot or otherwise) —in cases when the "general result" is to be recorded and not "the names of those voting;" which is simply another form of "division of the Assembly," to guard against mistakes — a form frequently followed in political conventions, the names of delegates being supposedly checked and, detailed recorded, while in fact few records are kept in such conventions.

VOTING "BY BALLOT."

"Voting by Ballot," in the absence of a special rule, is the parliamentary method of Electing the Officers of an Assembly itself, especially in assemblies having a fixed membership. It is also the parliamentary method for the election of candidates for membership, and in determining all questions involving membership-rights; as well as in the nomination of candidates to be voted for by others, and whenever a secret vote is required.

When the law requires a "secret ballot," it cannot be cast by the Clerk, or other member, even by unanimous consent, because of the result being known

in advance: but if so done, the result could not be questioned by anyone then present, since "what all agree to, none shall question."

The duty or privilege, however, is a personal one, and cannot be delegated, because the only purpose of a ballot is secrecy; and, if the rule requires a ballot, a ballot must be had, even though there be but one candidate. One or more, and perhaps a majority, might wish to vote against him and yet none be willing to openly object.

It is quite common to direct the Clerk to cast the ballot, when there is only one candidate; but one objection is sufficient to prevent it.

An apparent exception to the rule of secrecy occurs when (as in a political convention) a delegation is required to "vote as a unit," or to announce its vote as such delegation. Not so, however; since "individual secrecy" may be maintained by a prior ballot, within the delegation, to determine for whom the vote shall be announced.

COUNTING THE BALLOTS.

In ballot-voting, Blank Ballots are to be wholly ignored, unless otherwise provided by law or special rule; that is, they are not to be included in the total. One who casts a blank ballot does not vote. While pretending to vote, he declines being a factor; and leaves the issue to be determined by others.

When the rule requires nominations to be made in advance, ballots containing the names of persons not nominated are to be treated as blank ballots, so far as such names are concerned. If, however, the rule does not specifically require all nominations to be made in advance—but certain nominations are so made—all names voted for are to be counted and reported, even though receiving but one vote; they may do better, later. Instances are numerous where persons, not seriously mentioned at the start, have “distanced the leaders;” a notable one being the nomination of Mr. GARFIELD for President, after receiving but one vote on many consecutive ballots.

The term “Scattering,” is only permissible after the result is determined; and then, only on the record, “by courtesy” of the Clerk, and as a sort of salve for the wounded.

Of course, when the special rules provide otherwise, they are to be obeyed—not only in voting, but in all matters—unless specially “suspended” for the occasion.

It is never proper to move “that the nominations be closed.” When all who desire to make them have apparently done so, the Chair should ask:

“Are there any further nominations? [Pause, during which they may be made.] If there are no other nominations, they will be declared closed. [Pause.] So ordered.”

The Report of the Tellers should show, not only the number of votes for each candidate, but the details, so that members may know that the report is correct. The general form should be:

"For the office of —, there were — ballots cast; necessary to a choice, —.

"A — B — received — votes.

"C — D — received — votes.

"E — F — received — votes.

"There were — blank ballots cast, and not counted."
[The Assembly has a right to know all the facts.]

If the rules require "a majority of all present," then "all present," and not the ballots, are to determine the "total;" and votes for those not regularly nominated, (if the rules require prior nominations,) are to be included with the "blanks," and reported as "Blank votes, —;" and those not voting as "Not voting, —."

"INFORMAL BALLOT."

The motion, frequently made in political conventions, and sometimes elsewhere, "that the Informal Ballot be Made a Formal Ballot," is never in order; and its adoption will not change the fact that it was not formal. Moreover, it frequently happens that members do not express their honest convictions on an informal ballot, but cast complimentary votes, expecting a return.

If the rule requires a ballot, declaring an informal ballot a formal one would not be a compliance; if

the rule does not require a ballot, and it is desired to expedite business and nominate or elect the one in the lead on the informal ballot, the ballot should be ignored and a nomination or election made by viva voce motion.

FRENCH "BALLOT VOTING."

Still another method of voting obtains in some localities, its features corresponding to the ball-ballot system in Lodges. Each member, as his name is called, casts a red or white ticket—the one denoting "yes" and the other "no." This is the system used in the French Chamber of Deputies for an "open ballot," one of the tellers announcing how he votes—"white" for "yes" and "blue" for "no"—and the Clerk recording the same, which makes it correspond to our system of "yeas and nays."

"Voting is the most important business, since it is the consummation of the work of a deliberative body. Courts, when litigation arises with regard to the passage of a measure, will look to see whether it has been legally adopted in regular order, rather than to the previous disposition of subsidiary questions and rulings on points of order; though such minor matters will always be investigated if the issue of the case require it."—WAPLES.

"The vote on the question of demanding the yeas and nays [when the rules require one-fifth, or other proportion of a quorum, to order them] is always taken by a rising vote."—REED.

LESSON VI.

It is Much More Material to Have a Rule than What That Rule is; that there may be uniformity of proceeding, not subject to the caprice of the Chair or captiousness of the members.—HATSELL.

RULES RELATIVE TO VOTING.

Whatever the method of voting, it should be borne in mind that it is the most important business of an Assembly—in no other way can it take “action.” When proceedings are reviewed by the courts all other matters are trivial compared to the question “Was the vote a legal one?”—that is, proper to be taken, and properly taken.

Only members in attendance may vote. Voting by attorney, or by proxy, is never permissible unless by operation of law. Nor can a member vote on any question in which he has a personal interest; a “personal interest is one not common to the membership—as where his reputation is at stake,” or “where his private right or interest is immediately concerned, as distinct from the general interest.” The interest must be direct, and not merely incidental or general.

An apparent exception to the rule obtains in elections; one may vote for or against himself. Otherwise, no votes might be cast, since all might be candidates.

In this connection it may be stated that the common convention-motion (after a choice has practically been made,) to "make the election unanimous," has no foundation in parliamentary law. If entertained, and one vote be cast in the negative, the motion is lost; unless all agree, it is not unanimous.

No member can Change His Vote unless the record shows (or it be absolutely known) how he voted. Otherwise a dishonest member [in a political gathering, of course] might, in effect, cast three votes—one for or against the measure, and two more by pretending to have voted otherwise, and by having his pretended vote transferred.

THE "CASTING VOTE."

A Tie-Vote on any question (save in exceptional cases) defeats the motion, regardless of the method of voting, since those favoring the motion must have more than an even half of the votes cast to out-vote the balance. The exceptions are caused by a peculiar "stating" of the question, to which reference will be made later.

A "Casting Vote" is accorded the Chair only when he is an actual member of the Assembly, and not simply an ex-officio member, in the absence of a law to the contrary. Nor can an Assembly give the Chair a casting vote, except by unanimous consent; and sometimes not even then.

When the Chairman is an actual member, he may vote as such ; and, if he does so, he should vote last, lest he unduly influence the votes of others. In no event can he cast two votes.

If the Chair has a casting vote, and avails himself of it, he should (after the number of votes is known—not announced) say, "The vote is a tie—the Chair votes aye and the motion is adopted !"

If he has a casting vote, he need not vote "no," to determine a measure lost, since the "tie" would be sufficient ; but, if he votes as a member, (and not by casting vote) he may vote last and make a tie, and in that way defeat a motion.

The same rules apply when a two-thirds vote, or other vote larger than a majority, is required to adopt a motion. If the vote lack one of being two-thirds, the Chair may make it such ; and, if an even two-thirds, the Chair may vote "no," and declare the motion lost.

If a question is put to vote, and no member responds, it is not "silent assent." The Chair, if a member, or, if having a casting vote,—may vote for or against the motion, and declare it adopted or lost, and bind the Assembly. In such an event, the result could not even be reached by "reconsideration"—unless the Chair assented thereto.

The general rule is that a "majority vote" shall determine any action of an Assembly ;—the exceptions will come later. Mr. REED says :

"Unless by organic law, or by virtue of rules adopted by an assembly, the number required for an affirmative decision is increased above a majority, the majority rules. The general principle of decision is the natural one, that the majority shall govern."

Col. ROBERT says :

"While a quorum is competent to transact any business, it is usually not expedient to transact important business, unless there is a fair attendance at the meeting, unless, previous notice of such [proposed] action has been given."

In the absence of a rule to the contrary the majority of those voting are competent to act, and those not voting give "silent assent" to such acts. But when a special rule expressly requires "a majority of all present," for the adoption of a motion, those not voting must be counted in the negative. Of course, the same rule obtains when the rule requires a two-thirds or other proportion of "all present."

A member may be forced on record, but he cannot be forced to vote; the record may show him to be "absent," or "present and not voting," or other proper entry, but voting itself, implies the exercise of judgment, and cannot be forced, even by a special rule made by the Assembly itself.

Of course, if the "higher law" says to the contrary, it must be obeyed, even though in itself not well grounded, since "Obedience" is a fundamental parliamentary rule.

ANNOUNCING THE RESULT.

The Result of the Vote is to be announced as soon as completed; but should not (in the first instance) be positively announced, unless beyond all question, and concerning a matter of no considerable importance.

The vote—regardless of method—is not a “Step Toward Action,” but “Action!” and includes not only the taking of the vote, but the declaration of the result, and the record thereof.

The vote having been taken, the Chair, if in doubt, should (of his own motion) say, “The Chair is in doubt! All in favor,” etc., and take another vote; and, if he so desires, he may “divide the Assembly,” by “show of hands,” or otherwise.

If not in doubt, he should say,

“The ayes [or “noes”] seem to have it. [Pause, to permit a “division,” if called for.] The ayes [or “noes”] have it; and the motion is adopted,” [or “lost.”]

If thus stated—that is, if a pause was made after the words “seem to have it,” and no “division” was called for, the vote is final. But, if there was no pause, a “division” may be called for; even after the result is announced, but before the presentation of other business.

On mere formal motions, or any motion concerning the decision of which there can be no question, it is sufficient if the Chair simply announces, after the vote is taken, that—

“The motion is carried;”—or “lost.”

Or, "The ayes have it;"—or, "the noes have it."

Or, "It is [or "is not"] a vote."

Or, "The motion prevails."

Or, Any brief announcement of the fact.

Members need not rise to call for a "Division of the Assembly," but may informally call "Division !" because the conditions frequently require haste ; or one or more may rise and quickly say "I doubt the vote !" or "I call for a division !" If the Chair refuses a "division," the only remedy is an Appeal to the Assembly.

When a "division" is allowed, and proper proceedings had, the Chair should announce (instead of the ordinary form) that—

"There were — votes in the affirmative, and — votes in the negative; and the motion is adopted;"—or "lost."

Or, "There were — ayes, and — nays, and," etc.

MODIFIED RULES.

In small bodies, like Boards of Directors, by general usage, the rules are still further modified because of changed conditions. The mover need not rise, because readily seen and heard without. Motions may be made without "notice" or "recognition;" and, if lengthy, may be dictated to the Clerk. No seconder is required, and any member may move to reconsider. Nor need the Chair rise when putting a question.

But a dignified majority, or a strict Chairman, might enforce the rules, notwithstanding the changed conditions; even though time be wasted, instead of saved, by so doing.

RECONSIDERATION BRIEFLY TREATED.

The subject of "Reconsideration," or the Taking of a Second Vote on the Same Measure, (because, after supposed reflection, believed to have been improperly disposed of) will be considered in detail later. The "motion to reconsider" is not an "ordinary main motion," and is barely mentioned here to avoid confusion.

If the record shows (or it is otherwise known to a certainty) who voted for or against a measure, or how certain members voted thereon, the motion to reconsider must be made by one voting on the prevailing side.

The "prevailing side" is the winning side, and not necessarily the most numerous;—if the motion required a two thirds vote but failed to receive it, those voting "no," (although a minority,) constitute the "prevailing side."

If the record does not show how members voted—it being wholly a matter of recollection—any member may move to reconsider. Otherwise, a dishonest member would have an advantage over the others.

A mere viva voce vote cannot be separated into units; nor can members absolutely know how other members voted.

An ordinary form of a motion to reconsider is:

"I move that the vote whereby the motion to [describing it] was adopted [or "lost,"] be reconsidered."

Or, "I move to reconsider the vote by which the motion [describing it,] was —," etc.

The motion is debatable, if the original motion was; but not otherwise. It may be made at any time before an Assembly has lost control of the subject matter of the proposition itself—as a general rule, at the same or next succeeding meeting.

In an emergency (as it will appear later) it may be made while another member has the floor; but, if so made, serves only as a "notice of motion," and is acted on later.

When a motion to reconsider is made, or when a "notice of motion" is given, it stops action on the original proposition—that is stops anything being done because of it—until the motion to reconsider is itself acted upon.

If adopted, it brings up the original motion, for another vote, in exactly the same condition as it was in before the taking of the vote which is ordered reconsidered; and is then subject to modification.

No motion can be reconsidered a second time.

"The want of a work which will give elementary details has long been felt. Manuals stop far short."—COLFAX.

LESSON VII.

The Proper Use of the Amendatory Motion is to Aid and Perfect the Measure to which it is applied; to befriend the antecedent proposition and render it more worthy of support and adoption.—RUFUS WAPLES.

AMENDATORY MOTIONS.

The subject of amendatory motions is an important and prolific theme, and when the student fully understands the rules connected therewith, and how to apply them, he is well advanced in the study.

Amendatory motions are of two, classes and are called “primary” and “secondary;” the primary being commonly called an “amendment,” and the secondary an “amendment to the amendment.”

When an amendment adheres direct to the main motion, and must be disposed of before action on the main motion, it is a primary amendment. When it adheres to the primary amendment, and through it to the main motion, (and must be disposed of before action is had on the primary,) it is a secondary amendment.

As a general proposition, only two amendments—one primary and one secondary—can adhere at one time. The line must be drawn somewhere, and usage has drawn it at an “amendment to an amendment.”

Under no circumstances is an “amendment to an amendment to an amendment” in order.

Ostensibly the purpose of amendments is to "perfect" the main motion by getting it into proper shape for the final vote thereon; but the term "perfect" is often a misnomer—amendments put the main motion in whatever shape the majority may determine, whether it be "perfected" or "spoiled" thereby. Were it otherwise, members would be forced to vote for or against any and all propositions—to reject measures more or less meritorious, and accept measures more or less objectional. Hence the so-called "perfecting" process.

The number of amendments that may be made to the main motion is practically unlimited, but only two can be pending at one time. As fast as one "secondary" is disposed of, another can take its place; and when all "secondaries" are disposed of, the primary amendment has the right of way, and may be replaced by another primary, and that by another, etc.; and each primary may, in turn, have its series of secondaries to be disposed of. [Further on it will be seen how to prevent unnecessary amendments, and waste of time.]

Amendments are "moved," "seconded" and "stated" substantially as are main motions, the common form of motion, for a primary amendment, being—

"I move to amend the motion [or original motion] by —" [stating how.]

And, for a secondary amendment:

"I move to amend the amendment by —" [stating how.]

MUST BE GERMANE.

All amendments must be germane to the main motion. To be germane (or relevant to the main motion) an amendment must not only relate to the same subject, but must be so worded as to make sense.

An amendment may be inconsistent with one already adopted, or conflict with the spirit of the original motion, but, if it has a bearing on it, it is germane and, sufficient. The special rule of the national House of Representatives is that—

“No motion or proposition, on a subject different from that under consideration, shall be admitted under color of amendment.”

This rule has become the common law on the subject, but the words “color of amendment” are to be construed liberally. In the language of Mr. WAPLES:

“When there is a total absence of congruity between the proposed amendment and the main motion, so that the amendment is a new proposition, upon a different subject, it should be ruled out. While there is a proposition lawfully before the house no new proposition on a different subject can be entertained. What cannot be done directly, cannot be rightly done indirectly, by disguising the intruder with the mask of an amendatory motion.”

While a secondary amendment cannot be amended, notice of a proposed secondary, (to be presented later,) may be given, unless objection is made. The purpose is to suggest to the Assembly, that it will the better serve to “perfect” the measure.

DEBATE LIMITED.

Debate on an amendment is in order, only when the main motion is debatable, and must be kept under control. When the effect of an amendment would be to defeat the purpose of the main motion, the whole proposition may be debated; but, when the effect is simply to modify the main motion, debate must be limited to the proposed modification, and not extended to the whole question.

ILLUSTRATION.

"Moved, That the Assembly hold two more meetings in this hall."

An amendment to make the motion read, "no more meetings," would (if adopted) defeat the proposition; and, while the amendment was pending, the entire proposition would be debatable; that is, whether to hold two meetings or more,—and, if held, whether or not "in this hall."

An amendment to hold "four meetings" would limit the debate on such amendment to the number to be held; and the propriety of holding meetings, or the place of meeting, would not be debatable while the amendment was pending. After it was determined, general debate might be renewed, on the main motion.

Laxity in enforcing the rule leads to confusion, but the speaker should have the benefit of the doubt; and greater latitude should be allowed members unaccustomed to debate.

AMENDMENTS CLASSIFIED.

The foregoing rules apply, not only to primary and secondary amendments, as such, but to all amendments, by whatever name known; since all amendments are either primary or secondary. There are five forms of amendments—three general and two special. The General Forms of Amendments are:

“AMENDMENT BY ADDITION,” or by adding to (or inserting in) a main motion, or in a primary amendment, certain other words.

“AMENDMENT BY ELIMINATION,” or by striking certain words out of the main motion, or primary amendment.

“AMENDMENT TO STRIKE OUT AND INSERT,” or by striking certain words out of a main motion, or primary amendment, at the same time inserting certain words in place of the words so stricken out.

The Special Forms of Amendments are—

“AMENDMENT BY DIVISION,” or by dividing a main motion, or a primary or secondary amendment, into two or more propositions.

“AMENDMENT BY SUBSTITUTION,” or by striking out an entire main motion, (or the whole of a primary amendment,) and substituting in place thereof, another entire motion, relating to the same subject matter.

AMENDMENT BY ADDITION.

An “Amendment by Addition” is a motion to add certain words to (or insert certain words in) the pending motion—whether the “pending motion” be

a main motion or a primary motion. A common form is—

“I move to insert, after the words —, and before the words —, the words —,” etc.

Or, “I move to add, at the end of the section, the words —,” etc.

The proposed amendment must be definite, as to the words to be inserted, and as to the place—whether before, between, or after, certain other words.

ILLUSTRATION.

Moved, That a warrant be drawn in favor of John Jones for the sum of twenty-five dollars.

Primary Amendment—To insert, after the words “sum of,” and before the words “twenty-five,” the words “one hundred and.”

The Chair states the question—“You have heard the motion. [Pause.] Are you ready?” etc.

Or, “It is moved to amend by inserting ‘one hundred and twenty-five’ instead of ‘twenty-five’.” [Pause.] Are you ready?” etc.

If the amendment is adopted, other amendments are still in order; but, if none are offered, the Chair will say, “The question is on the adoption of the motion, as amended,” [describing it, if necessary, followed by a brief pause]. “Are you ready,” etc.

If no other amendments, etc., he puts the question.

A secondary amendment is one which relates to the primary amendment alone, regardless of its effect on the main motion. Additions cannot be made to the primary amendment, but may be added to the

main motion, by a primary amendment, after the pending primary amendment is disposed of. Col. ROBERT illustrates this as follows:

A motion to "insert 'B' before the word C," cannot be amended by adding "and 'D' before the word E," because the only thing that can be altered in the pending amendment is "B," the other words being those that are necessary to describe what it is proposed to do with "B."

The proposed insertion of "D" has nothing whatever to do with "B;" but, as stated, can be inserted by another amendment. Col. ROBERT further says:

A motion to insert "B" before the word "C," in a resolution, cannot be amended by substituting another resolution for the one pending, thus changing the form of the amendment, and not simply altering "B."

The proper method of making such substitution will be shown when that topic is reached. Incidentally, it may be stated that it is in order when no secondary amendment is pending.

ILLUSTRATION.

Moved, That the Clerk be directed to purchase five dining tables and fifty chairs for the use of the Assembly.

Primary Amendment—To add, at the end of the motion, the words "and that he receive one dollar per meeting for clerical services." [Not germane—but might be, if the proposed compensation was for "services as purchasing agent." Ruled out.]

Primary Amendment—To insert after "dining tables," the words "one sideboard, one mirror."

Secondary Amendment—To amend the primary amendment, (or to amend the amendment,) by inserting after "mirror" the words "one kitchen table." [Not in order;

the "kitchen table" has nothing to do with "one sideboard, one, mirror." But, in order later, as a primary amendment. No other secondary amendment being offered, the primary amendment is adopted.]

Primary Amendment—To insert, after "mirror," the words "one kitchen table." [Adopted.]

Another primary amendment is now in order; and, if made, secondaries would be in order. None are made, and the original motion, amended so as to provide for "five dining tables, one sideboard, one mirror, one kitchen table and fifty chairs" is adopted.

While amendments would have been in order, as stated, the words inserted must stay inserted, unless (in connection with other words) a new proposition is made.

It sometimes happens, that the adoption of an amendment seems to be the adoption of the original motion; and some do not understand why, in all cases, the original motion must be put, after it has been amended. The explanation is simple:

Suppose a motion is pending that A, B and C be appointed to do a certain thing, and an amendment offered to add the Chairman and Clerk.

The adoption of the amendment does not declare that the Assembly wants the thing done. It simply declares that, if done, the Chairman and Clerk shall assist therein.

The Assembly may, or may not, adopt the motion, as amended; and may thereby direct, or refuse to direct, the thing done.

Again quoting from Col. ROBERT:

If the pending motion is to "insert 'A, B, C, D,' before E," it is in order to apply any form of amendment to "A B, C, D," and no amendment is in order that is not confined to simply altering those words, "A, B, C, D."

That is to say, other words cannot be added; nor can the primary amendment be amended in any other particular. But, if "A, B, C, D," are inserted, they must stay inserted; for which reason either or all of them may be changed, by secondary amendments, by the use of other form or forms of amendment.

"If an amendment be proposed, inconsistent with one already agreed to, it is fit ground for its rejection by the Assembly, but not within the competence of the Chairman to suppress, as if it were against order; for, were he permitted to draw the question of consistence within the vortex of order, he might usurp a negative on important modifications,—and suppress, instead of subserve, the will of the Assembly."—JEFFERSON.

"A knowledge of parliamentary law is essentially necessary to him who shall be called upon to preside. It enables him to make such rulings as will secure order and impartiality in discussion; and reach final action, in the quickest way, without confusion."—F. M. PAYNE.

"If the amendment be to leave out (or to add) words only, debate should be restricted to the advisability of the omission (or addition) of those words."—ERSKINE MAY.

LESSON VIII.

Amendments May be Made so as to Totally Alter the Nature of the Proposition. It is one way of getting rid of the proposition, by making it bear a sense different from what was intended by the movers, so that they vote against it themselves.—THOMAS JEFFERSON.

AMENDMENT BY ELIMINATION.

An "Amendment by Elimination," differs but little from an "amendment by addition," save as to form. Instead of "adding to," it "takes from;" a common form being :

"I move to strike out the words —, where they occur after the words —, and before the words —."

Or, "I move that the words —, after —, and before —, be stricken out."

The motion being to eliminate, or "strike out," it should be so stated; the recognized form being :

"The Assembly has heard the motion [describing it, if necessary]. The question is Shall the words be stricken out. [Pause.] Are you ready," etc.

It is not proper to use the old-time form, "Shall the words stand?" because confusing and deceptive. While, under the rule, a tie-vote defeats an ordinary motion, a tie-vote, on a motion so stated, would adopt it. By refusing to let the words stand, the Assembly would order them stricken out—and less than a majority would, in effect, make the order. If the Assembly desires the words to "stand," it can vote "no," on the motion to "strike out."

When a motion, to strike out certain words, is adopted, the words stricken out must stay out; but the same words and other words, or a part of them (if making a new proposition) may be stricken out. It is, therefore, important to get the amendment in proper shape before it is adopted; if the words are stricken out, the Assembly may refuse to change them, even if an amendment is properly framed.

The rule stated, under the head of "Amendment by Addition," that a secondary amendment must amend the primary amendment only, applies to all forms of amendment. If a primary amendment proposes to and strikes out certain words, they must stay out; for which reason a secondary amendment, to strike out a portion of such words, (thereby leaving them in the main motion,) is in order.

It is not in order to add other words, thereby going beyond the bounds of the primary amendment; but it would be in order to strike other words out, by another primary amendment.

While a secondary amendment, to "add" certain words to a primary amendment to "strike out" certain other words, is not in order, the same result can be reached later in the form of a secondary amendment to "strike out" the words so proposed to be "added," the two propositions being identical.

But, if a primary amendment, proposing to insert (or add) certain words to the main motion, is adopted, the words so inserted or added must stay therein;

wherefore a motion to strike out a portion of the proposed words (not other words) would be in order. Other words could be struck out only by other primary amendments.

ILLUSTRATION.

Moved, That E, F and G, be appointed as a committee, to confer with the owners of this hall, relative to a new lease.

Primary Amendment—To insert, before "E," the names "A, B, C, D." [In order.]

Secondary Amendment—To strike out "F and G." [Not in order; because no part of the primary amendment.]

Secondary Amendment—To strike out "A," [or, "B;" or "C;" or "D." In order, because found in the primary amendment. In like manner, a motion to strike out any two or three of the words "A, B, C, D," would be in order; and for the same reason.]

The secondary amendment, (to strike out "A,") is adopted; as is the primary amendment, as amended, and the motion reads:

Moved, That B, C, D, E, F and G be appointed as a committee, to confer with the owners of this hall, relative to a new lease.

The motion, as amended, is now again subject to amendment; but the word "A" cannot be restored, because struck out. Nor can the words "B, C, D," be struck out, because inserted; an opportunity to omit them was offered, but was not availed of, before the primary amendment was adopted.

If desired, a primary amendment may now be offered, to strike out "E," "F" or "G,"—or any two, or all three, of such words,—no previous opportunity to do so being offered. If struck out, they must stay out. The same rules, of course, apply to other words in the motion, as amended.

ANOTHER ILLUSTRATION.

Moved. That the Clerk be directed to purchase five dining tables, one sideboard, one mirror, one kitchen table and fifty chairs for the use of the Assembly.

Primary Amendment—To strike out the words “one sideboard, one mirror.”

Secondary Amendment—To amend the amendment, by striking out “one mirror.” [The effect would be to restore the mirror to the main motion, leaving the question of “sideboard” to be determined. The amendment is in order, because, if the primary amendment is adopted, the “mirror” must remain; unless subsequently stricken out in connection with other words. A member desires to return the sideboard and not the mirror, but can do nothing while the secondary motion is pending. A vote being taken, the secondary amendment is lost, and an opportunity is offered to strike out the sideboard, which is not availed of.]

Secondary Amendment—To strike out “five dining tables, one sideboard.” [Not in order, because the primary amendment does not reach the dining tables; but, it may be reached later.]

Secondary Amendment—To strike out “sideboard,” and insert “rocker.” [Not in order, for reasons stated; and because, if entertained and adopted, it would make the primary amendment propose to strike out “one rocker, one mirror,” there being no “rocker” in the main motion to strike out. The primary amendment is adopted.]

Primary Amendment—To restore the sideboard. [Not in order; it has been stricken out and must stay out. The member had a chance, before the other primary amendment was adopted, and it is now too late.]

Primary Amendment—To strike out “one kitchen table.” [In order and adopted.]

The main motion, as amended, is adopted, and now reads :

Moved, That the Clerk be directed to purchase five dining tables, and fifty chairs, for the use of the Assembly.

The same rule applies to the striking out of an entire section ; and with even more force. When stricken out, it must stay out, since no other words remain upon which to base a new motion to "strike out." Having been stricken out there is nothing to amend. [A partial remedy for this condition of things—when an evil—will be found later on.]

ILLUSTRATION.

Resolved, That one-half hour be set apart, at the first and third meetings in each month, under the head of "Good of the Order," for the study of, and practice in, Parliamentary Law.

Resolved, That the "American Law of Assemblies" be used at all "Parliamentary Drills" of this Assembly ; and that during such drills, members alternate as Chairman, the Chairman of this Assembly to designate an "Acting Chairman" for each drill.

Resolved, That five copies of the "American Law of Assemblies" be ordered, for the use of this Assembly, and that additional copies be ordered by the Clerk for such members as may desire and pay for the same ; *Provided*, That members desiring copies shall so notify the Clerk, within three days ; and that the Clerk mail an order, for such copies as are needed, prior to our next meeting.

The Chair—"The Assembly has heard the resolutions read. What is the will of the Assembly?"

Primary Amendment—To strike out the second resolution. [Adopted; and, there being nothing left to graft on, that resolution is disposed of. But, the proposition may be renewed—as it doubtless will be—as an independent motion, when no other business is before the Assembly.]

Primary Amendment—To strike out all of the third resolution, before the word “provided.” [Not in order, because the rule is that a proviso, standing alone, cannot be adopted. Ruled out.]

Primary Amendment—To strike out of the third resolution, the words “within three days.” [Lost; and being lost, “the same words” can only be stricken out in connection with other words, in such form as to make a new proposition.]

Primary Amendment—To strike out of the third resolution the words, “Provided, that members so desiring copies shall notify the Clerk within three days.” [In order and adopted. Instead of simply striking out the words limiting the members to “three days,” it leaves the motion in such shape as to provide that members may procure copies, at any time, by notifying the Clerk; and directs him to procure the Assembly copies at once. The “proviso,” as such, is stricken out, and the words “and that the Clerk mail an order,” etc., are added to the resolution proper.]

Primary Amendment—To insert, after the first and before the last resolution, the following: “Resolved, That when parliamentary study and practice is under consideration, as such, a pro tem Chairman shall preside—no member to preside twice—the Chairman of the Assembly to select the one who is next to serve, and the instruction-book used, to be the “American Law of Assemblies.” [The Chair properly rules it out, on the ground that, being substantially a resolution which has been stricken out, it must stay out; and that, while differently worded, the effect is the

same. The Chair further suggests that, if it be desired to restore the resolution, "reconsideration," is the proper method; whereupon, the motion, by which it was struck out, is reconsidered and lost.]

Primary Amendment—To amend the second resolution, by adding thereto the words, "and notify him thereof, prior to the meeting at which he is to serve as such Chairman."

The Chair—"Are there any objections. [Pause.] So ordered." Are there any further amendments? [Pause.] There being none, the question is now on the adoption of the resolutions, as amended. [Pause.] Are you ready for the question? [Pause.] All in favor," etc. [Of course, they are adopted; as they should be.]

"The Chairman should always state the question distinctly, so that every one may understand it,—reading first the paragraph sought to be amended; then what is to be struck out; and finally the resolution as it will read, if the amendment is adopted."—AINSWORTH.

"If a paragraph is inserted, it should be perfected by its friends, previous to voting on it; as, when once inserted, it cannot be struck out, or amended, except by adding to it."—ROBERT.

"A motion to amend a resolution, by striking some part of it out, seeks to improve it by removing superfluous, unpopular or otherwise objectionable matter."—WAPLES.

LESSON IX.

An Amendment May be by Omitting all the Words after the First Word, "That," and substituting in their place other words of a different import.—ERSKINE MAY.

"TO STRIKE OUT AND INSERT."

An amendatory motion, "to Strike Out and Insert," is a combination of the other two forms—"Addition" and "Elimination"—being a motion to "strike out" certain words, and, at the same time, to "insert" certain other words in lieu thereof; not necessarily in the same place, but so as to "make sense."

This form of amendment may be applied to any part of the main motion or primary amendment; whether being considered as a whole, or by sections, paragraphs or other divisions. When applied to an entire motion, it is known as "an amendment by substitution."

If a primary amendment, it may itself be amended, either as to the words to be stricken out or the words to be inserted, or both, and subject to rules hereinafter stated.

If a secondary amendment, it can be amended later, for reasons already given; that is at any time before the question is put on the main motion—or, on the whole paragraph, if being considered by paragraphs.

It can only be "divided," when the striking out of the words proposed, will leave an intelligent motion; whether the words proposed to be inserted, are later inserted or not. It is seldom advisable to divide an amendment of this kind.

CONSIDERATION PRESUMED.

When words are stricken out, and other words inserted, the words stricken out cannot be restored, nor the words inserted stricken out.

The decision of the Assembly must not be overthrown, yet may be enlarged or curtailed—but not by secondary amendments. The presumption is that an Assembly means to do things properly; and the Chair should entertain no motion manifestly not so intended.

The propriety of doing a thing is generally a question for the Assembly and not for the Chair; and the Chair should only rule out a motion when manifestly improper—not because of supposed questionable propriety.

The Chair should not rule out a motion to strike out all after the word "Moved," or "Resolved." By a parliamentary fiction such a motion is "germane," and is a method frequently resorted to, to dispose of a measure "on its merits," as it is called. If the motion is adopted, the question is no longer before the Assembly—the remaining word, standing alone, being meaningless—and the matter is "disposed of."

The rule that "What is done must stay done," as applied to this motion, will seem to the student quite elastic ; yet, in reality, it is strictly applied. Primary amendments can only be amended within the limits thereof ; and this necessitates an apparently wide latitude in enforcing the rule.

It must be remembered that, while words inserted must stay inserted, and words stricken out must stay out, the rule provides an exception whenever, by coupling other words therewith, so as to make a new proposition, those inserted may be stricken out ; and those stricken out may again be inserted, conditional only that it be done at the proper time and in the proper manner.

The general principles which underlie the motion to "strike out," and the motion to "insert," apply also to the motion to "strike out and insert ;" but there are many variations in form, and the secondary amendment has a wider scope—the necessities of the case require it.

ILLUSTRATION.

Resolved, That one-half hour be set apart, at the first and third meetings in each month, under the head of "Good of the Order," for the study of, and practice in, "Parliamentary Law."

Resolved, That five copies of the "American Law of Assemblies" be ordered by the Clerk, for the use of the Assembly.

Primary Amendment—To strike out the words "under the head of 'Good of the Order'," in the first resolution,

and to insert after the words "Parliamentary Law," the words "the same to be made a special order next after 'New Business'."

Secondary Amendment—To amend the amendment, by striking out the words "new business" and inserting in place thereof, the words "Good of the Order, and that members alternate as Acting Chairman, each Acting Chairman to designate his successor before leaving the chair."

Member—I move to amend the last amendment, by striking out the words 'Good of the Order' and inserting 'Unfinished Business.'"

The Chair—"The motion is out of order. Two amendments are now pending; when one is disposed of I will recognize the member, if he desires to renew the motion in proper form." [Secondary amendment is adopted.]

Secondary Amendment—To strike out the words "before leaving the chair" and insert the words, "immediately prior to the then next parliamentary drill." [In order, although striking out words just inserted; a secondary amendment having been pending, no earlier opportunity was offered. The primary amendment, as amended, is adopted.]

Primary Amendment—To strike out the words "each Acting Chairman," and insert "the Chairman of the Assembly."

The Chair—"The motion should have been made while the primary amendment was pending; and before the words proposed to be stricken out were inserted. It is now too late.

Primary Amendment—To strike out the words "first and third" and insert the words "second and fourth." [In order and adopted; the member availed himself of the first opportunity offered.]

Primary Amendment—To strike out the word "five," in the second resolution, and insert the words "twenty-five;"

and to add, at the end of the resolution, the words, "and that they be delivered to members on payment of one dollar per copy."

Secondary Amendment—To strike out "twenty-five" and insert "fifteen." [Secondary amendment lost; primary amendment adopted.]

Member—"I now renew my motion to strike out the words "Good of the Order," and insert "Unfinished Business."

The Chair—"The motion is out of order, for the reason already stated. It is too late. Are there any further amendments? [Pause.] The Clerk will now read the resolutions, as amended."

The Clerk—"Resolved, That one-half hour be set apart, at the second and third meetings in each month, for the study of, and practice in, Parliamentary Law, the same to be made a special order next after 'Good of the Order;' and that members alternate as Acting Chairman, each Acting Chairman to designate his successor, immediately prior to the then next Parliamentary Drill. Resolved, That twenty-five copies of the 'American Law of Assemblies' be ordered by the Clerk, for the use of the Assembly, and that they be delivered to members on payment of one dollar each."

The Chair—The question is on the adoption of the resolutions, as read. [Pause.] Is the Assembly now ready for the question? [Pause.] All in favor of the resolutions, as amended, [or, "in favor of the motion to adopt the resolutions,"] will say Aye! [Pause.] Contrary, No! The ayes seem to have it. [Pause.] The ayes have it—and the resolutions are [or, "the motion is,"] adopted."

ANOTHER ILLUSTRATION.

Moved, That a warrant be drawn in favor of — for the sum of ten dollars, for services as janitor.

Primary Amendment—To strike out “ten” and insert “fifteen.”

Secondary Amendment—To strike out the word “fifteen,” and insert the word “five.”

[Two amendments pending, no other can be offered. The secondary amendment is adopted; as is the primary amendment, as amended.]

Primary Amendment—To insert, after the word “dollars,” and before the word “for,” the words “in full;” and to add, after the word “janitor,” the words “to date.”

Secondary Amendment—To strike out the word “five” and insert the word “ten.” [Out of order for the reasons: first, it is not an amendment to the amendment, but to the main motion, and a primary amendment intervenes; second, an opportunity was given before the first primary amendment, as amended, was adopted; and, third, it seeks to strike out the word “five” which was properly inserted, and to insert the word “ten” which was properly stricken out—and to do so without so coupling other words therewith as to make a new proposition, and without interposing a motion to reconsider.]

The primary amendment is then adopted, as is the motion, as amended, which now reads;

Moved, That a warrant be drawn in favor of —, for the sum of five dollars, in full for services as janitor, to date.’

Mr. REED, in his Rules of Order—a most excellent reference book—says:

If the motion “to strike out and insert,” be decided in the negative, it cannot be removed in the same terms; but inasmuch as it is a combination of the motion “to strike out” and the motion to “insert,” the negative result does not prevent a great variety of subsequent mo-

tions to "strike out and insert," or "to strike out," or "to insert," some of which are as follows:

1st.—To strike out the same words, and insert nothing.

2d.—To strike out the same words, and insert other words.

3d.—To strike out the same words, and insert part of the proposed words.

4th.—To strike out the same words, with others, and insert the proposed words.

5th.—To strike out the same words, with others, and insert part of the proposed words.

6th.—To strike out part of the same words, and insert the proposed words, or part of them.

7th.—To strike out part of the same words, and insert other words.

8th.—To strike out nothing, but insert the same words proposed

Still other varieties may be suggested, but those named may give an idea of the others. Of course, each one of these motions must involve a substantially new proposition.

"The reason why, after an amendment is inserted, it must stand as a part of the proposition is, that the Assembly, having passed upon it as an amendment, cannot pass upon it again in that character under a mere motion to strike it out. If rejected, the precise amendment cannot be re-offered."—WAPLES.

"The Chairman should never wait for mere routine questions to be seconded, when he knows no one objects to them. If a member makes an improper motion, politely suggest the proper one."—ROBERT.

LESSON X.

To be Divisible a Question must Contain Points so distinct and entire that one of them being taken away the others will stand.—THOS. JEFFERSON.

AMENDMENT BY DIVISION.

In the absence of a rule to the contrary, any part of a main motion might be amended, and then any other part—whether preceding or subsequent—a sort of “see-saw” method, on something of the “hit-or-miss” order. To prevent this, what is known as the motion to “divide the question” is frequently resorted to.

The same result is frequently reached by the use of substantially the same motion, under the guise of an amendment. The main difference is that, when used as an amendment, it can only apply to the main motion, or to a primary amendment; and not to the secondary—because, it is in itself an amendment, and amendments are limited to two in number.

The independent motion to “divide a question,” will be taken up later; and the “Amendment by Division” now considered.

When the pending measure consists of several propositions (as a set of resolutions, or code of by-laws—or a schedule, or paragraph, containing several items)—the pending motion being to adopt it as a whole—a member desires, as an amendment, to

consider it by piece-meal. To do this, he moves to amend, by dividing the proposed measure into sections, or other proper divisions, to be considered separately, in consecutive order. This form of amendment, being specially intended to save time, is not debatable ; nor is it amendable. If lost, however, another amendment, proposing a different division, is in order.

If the "amendment" is adopted, it does not affect the measure itself ; but, the motion to divide, makes a special rule for the particular occasion, and the "see-saw" is prevented. This is in line with "one thing at a time," since the first section is to be "considered" and "perfected"—not necessarily disposed of—before proceeding to the next ; and other sections in like order.

Each section, or division, should be so amended, if it need amendment, as to meet the approval of a majority of the members—not necessarily the same majority on each—but not voted upon, as amended, until all have been "perfected." When all have been perfected, a vote should be taken on the whole measure ; pending which the whole measure is subject to amendment.

If each division, as amended, was at once voted upon, before the whole had been considered, the measure might be largely of the "patch-work" variety ; and necessary changes could be made only

by means of "reconsideration," which might be made the occasion for delay. By waiting, until the various divisions had been considered, members would the better realize the purport of the whole measure, as amended, and could govern themselves accordingly.

It is quite common (but improper) to adopt each section in its order, and then vote upon their adoption as a whole. When this is done, the Assembly violates the rule which provides that "a question shall not be voted upon a second time, unless reconsideration is ordered." If adopted, it is adopted twice in succession; and if lost, the rule that "what is done must stay done!" is violated.

The proper course is as stated; to get each division in supposedly acceptable shape, and then pass on to the next—and, when all have been considered, to rectify mistakes, if any, and "vote once, and once only," on the entire proposition.

The same general course can be taken when a lengthy primary amendment, containing a number of independent propositions is pending; and the "amendment by division" may then be applied to the primary amendment only. But, the amendment by division should not be applied, to either a main motion or primary amendment, when the desired end can be readily reached by the use of ordinary amendments.

ILLUSTRATION.

Moved, That a series of ten entertainments be held at St. Anthony Hall, under the auspices of this Assembly, one entertainment to be given on Monday evening of each week, commencing on the first Monday in January next; that said entertainments be so varied as to be of ten distinct national types, viz: 1st, Arabians; 2d, Bulgarians; 3d, Chinese; 4th, Danes; 5th, English; 6th, French; 7th, German; 8th, Hollanders; 9th, Irish; 10th, Japanese; and that a committee of five, consisting of the Chairman, the Clerk, and three others to be appointed by the Chair, have charge of said entertainment, with full power to act; and that a warrant for fifty dollars be drawn on the treasury for necessary preliminary expenses.

[Here is a mere synopsis of a motion, in which the character of the proposed entertainments are set out at length—which motion may readily be divided into a large number of propositions. It should be so divided, if each is likely to be the subject of amendment; but, if few amendments are likely to be made, it should not be so divided.]

Member—"I move to so amend as to consider the motion by divisions, as follows: The number of entertainments; the place where held; the character of entertainment—each to be considered separately; number of members on the committee, and how designated; powers of committee; and the amount of proposed warrant."

The Chair—"Such will be taken as the sense of the Assembly, unless objection is made. [Pause.] The Chair hears none—and it so ordered. The first division proposes ten entertainments; are there any amendments? [Pause.] The next proposes St. Anthony Hall, as the place for holding them; are there any amendments?"

Member—"I move to strike out 'St. Anthony' and insert 'Fraternity.'" [The primary amendment is stated.]

Member—"I move to strike out 'Fraternity' and insert 'Germania'." [The secondary amendment is stated, voted upon and lost.]

Member—"I move to strike out 'Fraternity' and insert 'McGregor'." [Adopted; and there being no further amendments, the primary amendment, as amended, is adopted.]

The Chair—"The next division relates to the nights when held, and time of entertainment; the times named are Monday evening of each week, commencing on the first Monday in January next. Any amendments?"

Member—"I move that Wednesday evenings be determined on."

The Chair—"Is the motion seconded? [Pause.] The Chair hears none. Next in order are the proposed entertainments; the Clerk will read them in their order."

[And so on to the end. It may seem "slow work," but it is in reality far more rapid than by the ordinary method—on the supposition that the amendments are numerous. Another advantage is that members, instead of being confused, "know where they are at." A still greater advantage lies in the fact that debate can be more easily confined to the specific amendment; members will not be as apt to cover the whole subject while considering each single item.]

The Chair—"The question is now on the adoption of the original motion, as amended. Are there any further amendments? [Pause.] The Chair hears none."

Member—"I would like to hear the motion read, as amended; it is an important matter, and should be thoroughly understood."

The Chair—"The Clerk will read the motion as it now stands."

The Clerk—"Moved, That a series of ten entertainments be held at McGregor hall," etc.

The Chair—"Is the Assembly ready for the question?"
[Pause.] "All in favor," etc. [Vote taken and result announced.]

It should be borne in mind that one majority may favor one division and another majority—that is a majority composed of other members, or in part of other members—may favor another, and third, fourth or fifth majority may favor still other divisions. It does not follow that any majority can be found for all the propositions. Hence it is always necessary, after the amendments are adopted, to put the vote again "on the motion, as amended."

In special cases, as just shown, such vote can be delayed temporarily, when the purpose of the Assembly will be better served thereby. Delaying the vote on the main question, when considered by sections, has become a well settled custom.

The strict rule requires an immediate vote, and, if objection is made, the Chair should submit the question of delay to the Assembly. If ordered, a special rule is made for the particular measure under consideration. If not ordered, each section must be voted upon, as amended, before passing to the next; but, if so, it is not to be again voted upon, as a whole, for reasons stated. If so moved, the Chair should rule the motion out of order, and let the member appeal if he sees fit.

ANOTHER ILLUSTRATION.

Moved, That meetings of this Assembly be hereafter held on Tuesday evening of each week in Wenonah hall.

Member—"I call for a division of the question; and move that it be divided into two parts—the time of meeting, and the place of meeting."

[This motion is in order, since the motion can be so divided. It is wholly unnecessary, however, as ordinary amendments would quickly "perfect" the motion, if not already in satisfactory form. The question of division, in such case, being one of propriety only, the Chair is not to be the judge, and puts the motion, whereupon the Assembly votes "to divide."']

The Chair—"The first division is on the time of meeting, which is 'on Monday evening of each week.' [Pause.] Are there any amendments?" [The motion is amended to read "Wednesday evening." No other amendments are offered.]

The Chair—"The second division designates Wenonah hall as the place of meeting. Are there any amendments—or remarks? [Pause.] All in favor of the original motion, as amended—providing for meeting every Wednesday evening, in Wenonah hall—will say Aye! [Pause.] Contrary, No! [Pause.] The ayes seem to have it. [Pause.] The ayes have it—and the motion is adopted."

[Had the amendment by division not been made, a simple motion to strike out "Tuesday" and insert "Wednesday" would have effected the only change made; and a vote on the motion, as amended, would have disposed of it.]

STILL ANOTHER ILLUSTRATION.

Moved, That the Clerk purchase such supplies as may be needed for his office, and for standing committees. [This leaves the Clerk to determine what is needed.]

Primary Amendment—To strike out all after the word "purchase," and to insert, in place of the words so stricken out, the words and figures "1,000 letter-heads, 500 notices of meeting; 500 large and 1,000 small envelopes, and 100 blotters." [Germane and in order.]

Secondary Amendment—Amendment by division, to so divide the primary amendment as to vote separately on each item. [So ordered, and vote taken on five divisions; and each adopted without opposition, indicating that there was no necessity for the division. A vote being taken on the primary amendment, as amended, it is voted down, showing that while opposed to instructing the Clerk what to purchase, the Assembly favored the particular items, if instructions were given.]

Primary Amendment—To strike out the words "for his office and;" and to insert, after the word "committees," the words "including arm-chairs for committee rooms." [The amendment is adopted.]

Member—"What is the motion?"

The Chair—"That the Clerk purchase such supplies as may be needed for standing committees; including arm-chairs for committee rooms."

Member—"I move to put back the words 'for his office and.' The Clerk needs supplies—the motion wasn't understood."

The Chair—"A proposition already disposed of cannot be renewed under guise of an amendment. It is not the fault of the Chair if the motion was misunderstood; it was plainly stated. The question is on the adoption of the motion, as amended; as stated a moment ago."

Member—"That is for supplies for committees only?"

The Chair—"The Chair so understands it." [Pause.] Are you ready," etc. [Vote taken and motion lost.]

Member—"If now in order, I move that the Clerk be authorized to procure such stationery as may be needed for the Assembly."

The Chair—The gentleman is certainly in order; no other question being before the Assembly? The Assembly heard the motion; what is its pleasure? [Pause.] It will be taken as the sense of the Assembly, unless objection is made. [Pause.] So ordered, Mr. Clerk."

The Assembly must be presumed to have intended doing that which has been done; and when a conclusion is reached it must not be mentioned, or nothing would stay done—a proposition that will bear frequent repetition.

No division can be made, either by independent motion or by amendment, of a motion to "strike out and insert," unless the words proposed to be struck out will "make sense;" whether the words proposed to be inserted are so inserted or not. If divided, the motion to "strike out" may leave the motion meaningless.

ILLUSTRATION.

Moved, That the Clerk be authorized to procure such stationery as may be needed for the Assembly.

Primary Amendment—To strike out all after "procure" and insert "letter heads and envelopes for the members and stationery for use of the Clerk."

Secondary Amendment—Amendment by division, into two parts—the words proposed to be stricken out and the words proposed to be inserted. [Germane, but out of order; if the proposed words were stricken out, and the proposed words not inserted, the motion would be "that the Clerk be directed to procure" — what? Nothing! unless other words were inserted, and they might not be.]

LESSON XI.

The Object of an Amendment may be to Obtain Support for the Measure; or to present an alternative proposition, either wholly or partially opposed to the original question.—ERSKINE MAY.

AMENDMENT BY SUBSTITUTION.

“An Amendment by Substitution” is also special, in form. It is a “Substitute Motion,” in the guise of an amendment. It is applicable only to the main motion, and being designed to specially expedite business, is not subject to debate or amendment.

An Amendment by Substitution, in its essential features, is an amendment “to strike out and insert” except that it must be applied to the entire pending motion, and not to a part of it. Of course, it must be germane.

An exception is made when a measure is being considered by divisions, in which case it may be applied to an entire division.

ILLUSTRATION.

Moved,—That the Trustees procure arm chairs for the main hall, the chairs now in use to be used in the small hall; and that all furniture now owned by the Assembly be renovated and repaired.

[Divers amendments are offered and acted upon, and finally the main motion is in unsatisfactory shape and members are in doubt how to properly amend it.]

Member—"I move to amend the motion as it now stands, by striking it out and inserting the following: 'Moved, That the Trustees be directed to have the furniture repaired, and that they be authorized to purchase additional furniture, if they deem it necessary'."

The Chair—"The question is on the amendment to substitute the motion just read, for the original motion, as amended. [Pause.] All in favor," etc.

[If adopted the "amendment by substitution" becomes the main motion; and is, in turn, subject to any action that could have been taken on the original motion. After amendment, or debate, it may be crowded out by another amendment by substitution, or otherwise disposed of.

When an Assembly votes to substitute one motion (or amendment) for another, it does not declare any liking for the substitute; but that, as between the two, the substitute is preferred. After being substituted, it may be speedily adopted, or the reverse; and it may prove more objectionable than its predecessor, and another substituted.

This topic will be discussed under the head of "Substitute Motion." As stated, the amendment is the substitute motion, in disguise.

ADHERING AMENDMENTS.

When a measure is being considered by sections, each section is (for the time being) a main motion, and two amendments will adhere to it.

When the main motion (or the part thereof under discussion) is pending, two amendments, relating to

wholly different parts, cannot adhere at one time; but an amendment, curtailing or enlarging the primary amendment, would be in order, if limited to the part then under discussion.

When a motion contains two or more contradictory propositions—that is, propositions that negative one another, and, therefore, a nullity if adopted entire—it should not be divided, but ruled out. This should not be done unless the fact is clearly apparent; nor if it can be readily modified by a “suggestion” by the Chair.

It is often inadvisable to divide a motion, even though containing separate propositions, since the relations between them may make it better to vote upon it as a whole.

Nor, as already stated, should a division be had when the main motion can readily be “perfected” by the ordinary amendatory process—especially if it be not lengthy or intricate.

SKELETON MOTIONS.

It sometimes happens that Skeleton Motions (or motions in which blanks occur) are presented. In stating the same the Chair should not ask “Are you ready,” etc, because (until blanks are filled) the motion itself is not ready.

FORMULA.

The motion having been read, the Chair should call attention to the first blank and ask: "How shall it be filled?"

Members respond (often without rising or recognition—unless names are to be inserted) and say, "Mr. Chairman: I suggest —."

The Chair repeats each "suggestion" to the Clerk; if he fails to do so, the suggestion should be repeated.

The blanks are not filled by motions (in the proper sense) since suggestions are not limited to number and no vote is taken until all are made.

Nor are seconds required, since they would tend to delay instead of expedite.

In filling blanks—except when a name or place is to be inserted—suggestions need not be "put to vote," in the order in which they are made.

BLANKS FOR AMOUNTS.

If an amount is to be inserted, the smallest sum suggested is to be first voted upon, if it contemplates the payment of money by the Assembly. If rejected, then the next smallest, and so on until an agreement is reached.

When the money is to be received, instead of paid, the vote is to be first taken on the largest amount, then on the next largest, etc.

The reason, in both cases, is obvious. It is founded wholly on the financial interests of the Assembly; the more received and the less paid out, the better for its treasury.

Old time writers (and modern copyists) claim that blanks are to be filled by amendatory motions, but such is not now the rule. The reason will appear by the following :

ILLUSTRATION.

Suppose, according to the old rule, it was moved "that the sum of — dollars be appropriated for," etc , and a primary amendment to insert "thirty," and a secondary to insert "forty," were presented.

Those favoring "fifty" would vote for "forty" lest it fail and only "thirty dollars" be inserted ; a subsequent secondary amendment might raise the figure but it would not be safe to rely upon it.

If, however, "thirty," "forty" and "fifty" had been suggested the members would know all the propositions, and there would be no guess work. The figure inserted would represent the real wish of the majority, and not a compromise in whole or in part.

Reverse the proposition, and suppose it was to determine the rental to be asked for the use of the hall ; the conditions would be the same.

ANOTHER ILLUSTRATION.

Moved, That the rental of the large hall be fixed at — dollars per month, and of the small hall at — dollars per month, and that the janitor be allowed — per cent for collecting the rent therefor.

The question being on filling the first blank, the sums "twenty," "ten" and "fifteen" are named, and (being money to be received) the vote is first taken on "twenty." If adopted, the blank is so filled ; but if lost, the vote on "fifteen" is taken ; and, if necessary, the vote on "ten." The second blank is of the same nature, and, of course, filled in the same manner.

In filling the third blank, while the general method is the same, the vote is first taken on the smallest amount; then, if necessary on the next smallest, etc. The Assembly is then disposing of it funds.

In Congress and in most legislative bodies, the former rule was to vote for the largest amount first, in all cases. Now the rule is to vote for the smallest. The main reason for the change was suggested by alleged unnecessarily large appropriations.

Col. ROBERT follows the Congressional practice in this matter, as in many others. He ignores the general procedure in non-legislative bodies, which is now, as a rule, as just stated above—the exceptions are where the old congressional rule is still adhered to.

BLANKS FOR DATES.

If a date, or period of time, is to be inserted the farthest date or most distant time is to be voted upon in the same manner.

In stating a suggestion the Chair should say: "The largest [or smallest] amount is — All favoring that amount will say aye! Contrary, no!"

Or, if it be a date, or period of time, he will say: "The farthest date [or "most distant time"—or "longest time"] is —," etc.

ILLUSTRATION—DATES.

Moved, That smoke-socials be held in this hall as follows: On —, 1902; on —, 1902; on —, 1902; and on —, 1902.

Suggestions for the first blank are made as follows in the order named : "April 1," "January 6," "March 4," and "February 10."

They should be put to vote in this order : "April," "March," "February," "January;"—even though, in all probability, "January" is the favorite, since several other socials are to follow.

BLANKS, FOR NAMES AND PLACES.

When a blank is to be filled by a name or place, no second is needed; but each member making a "suggestion" must await "recognition." Although not limited as to number, and although all are to be made before any are put, they are to be presented in "first made, first put" order and "recognition" determines that order.

The reason is obvious, and no fairer method can be devised, since all members are on the same level. The Chair puts the question:

"The first name [or first place] suggested was — All in favor thereof will say aye!" etc. [The Assembly knows what names or places have been suggested, and if there be a special favorite the members will wait.]

Even where several names are to be inserted, "one at a time" is the rule; and, if the list is exhausted before selections are made, other suggestions will be in order.

ILLUSTRATION NAME AND PLACE.

Moved, That — be requested to prepare a paper on the Order in General, and to read the same at a public meeting, to be held under the auspices of the Assembly, at — hall, at our next anniversary.

In response to the call for suggestions for the first blank, "D," "C," "B," "E" and "A," are suggested, and voted on in the order named.

For the second blank, the suggestions are "Columbia," "Eureka" and "Fraternity," which are also voted upon in the order named.

If, instead of "at our next anniversary," a blank had been left, the blank date would be filled in the order of "most distant date first put."

FILLING BLANKS IS NOT FINAL.

In either of the foregoing illustrations, the filling of the blanks (whether by amounts, dates, names or places) is final only as to the filling; in other respects the motions may be amended. The majority may agree quickly on the filling and then vote down the proposition itself; and, in some cases, the blanks are filled with a view to that end.

An exception to the rule obtains in filling blanks fixing the time for re-assembling—the vote being first taken on the nearest time, the presumption being that the Assembly desires to conclude its labors as soon as practicable.

No debate is to be allowed on separate suggestions, but limited debate is permissible on suggestions as a whole.

Limited debate is to be limited to the immediate proposition, or blank to be filled; and does not include the main question, which has not yet been presented for debate,

"Limited debate" is also limited, at the discretion of the Chair, as to extent ; subject, of course, to the will of the Assembly.

The blanks are to filled in consecutive order (regardless of the nature of the blank) unless the Assembly shall determine otherwise.

When filled, the words or figures inserted cannot be changed, except by "reconsideration," and before the main motion is passed upon.

The rule is that words inserted can only be stricken out when a new proposition is made ; and a different amount, under the circumstances, would not be, in itself, a new proposition, since an opportunity was given for suggesting any different amount.

COMPLETED MOTION.

When all the blanks have been filled the Chair should state the motion in its completed form, and add, "Are you ready for the question ?"

It then becomes a completed but not necessarily a "perfected motion," and is subject to amendment or debate ; but not as to anything already agreed upon, —unless, as stated, a new proposition is presented.

It should be remembered that the foregoing relates to blanks in "skeleton motions" only, and not to motions which are complete when presented. In the latter case, if it is desired to substitute one

name, place, date or amount for another, it is to be done by amendatory motion and not by suggestion.

"Suggestions" aid in shaping motions; "amendments" aid in perfecting those in completed shape.

"No vote should be taken on the adoption of the several paragraphs, one vote being taken finally on the adoption of the whole. By not adopting, separately, the different paragraphs, it is in order, after they have all been amended, to go back and amend any of them still further. If each paragraph or section is adopted separately, it is improper afterwards to vote upon the adoption of the whole report, as this would be voting to adopt what had already been adopted in detail. So, too, it is out of order to go back and amend a paragraph that has been adopted, until after it has been reconsidered."—ROBERT.

"If the proposition to fill a blank were treated as an amendment, the first come would be the first served; but the Assembly would, in many cases, be deprived of the proper opportunity to express its sentiments."—REED.

"If a paragraph is inserted it should be satisfactory to its friends; as, after an affirmative vote, it cannot be struck out. Nor can it be afterwards amended, except by adding to it."—AINSWORTH,

LESSON XII.

To Assist an Assembly to Accomplish its Work it is Necessary to Restrain the Individual. Where there is no law, but every man does what is right in his own eyes, there is the least of real liberty.—H. M. ROBERT.

USE OF THE WORD "NOT."

An amendment which does not change the proposition itself, but only changes the order of voting, (that is, make those who would otherwise vote last, vote first) is not in order.

ILLUSTRATION.

Moved, That the Assembly hold no meetings in Utopia, during the summer months.

An amendment that the motion be "not adopted," would be out of order. The proposition would be unchanged; but those favoring it would be forced to vote "no," and those opposed "yes."

But an amendment to strike out the word "no," in the main motion, would not only change but reverse the proposition, and be in order.

Reverse the illustration, and suppose the motion was to "hold meetings;" if the word "no" was inserted the proposition would be changed, and in order; but a motion "not to adopt," would be out of order, for the reason stated.

ANOTHER ILLUSTRATION.

Resolved, That our representatives be instructed to vote for"—a certain measure.

An amendment to insert the word "not," before the word "instructed," would be out of order, because simply reversing the vote; an affirmative vote on the one proposition would be the same as a negative vote on the other.

But an amendment to insert the word "not," after the word "instructed," would be in order, because changing the proposition itself.

A motion that "our Representatives be instructed not to vote for" a certain measure, would be quite different from one instructing them to vote for it.

While the Assembly could instruct either way, the final vote would be on the adoption of the resolution, whether amended or not. Those favoring it would vote first, and those opposed last—the order of voting would be the same, but the voters might change places.

STILL ANOTHER.

A committee has been authorized to erect a hall, no special time having been fixed; a motion instructing the committee "to erect the building this year," is pending. If adopted, it would so direct; but, if lost, it would leave it discretionary with the committee when to build.

The Assembly believes it unwise to "build this year," and the motion is so amended as to instruct the committee "not to build this year." The proposition itself is changed—not the vote—and the committee has received its instructions, and must postpone work to a subsequent time.

The same proposition applies to all reversible terms, as to "for" and "against," "agreement" and "disagreement," "favorably" and "unfavorably." They are in order when the proposition itself is reversed;—otherwise not.

PUTTING THE QUESTION SERIATIM.

It may not be amiss here to "put the question seriatim," on a main motion and adhering amendments.

ILLUSTRATION.

A secondary amendment is pending and the Assembly is "ready."

The Chair—The question is on the adoption of the amendment to the amendment [stating it if necessary.] Are you ready for the question? [Pause.] All in favor say Aye! [Pause.] Contrary, No! The ayes seem to have it! [Pause.] The ayes have it! and the amendment is adopted!—The question is now on the adoption of the amendment as amended. Are you ready for the question?"

If other secondary amendments are presented, they are to be considered and disposed of; whereupon the Chair puts the question on the primary amendment, and declares the result, adding:

"The question now recurs on the original motion, as amended. Are you ready," etc.

Or, "The question now recurs on the main motion, which the Clerk will now read," etc.

Or, "Are there any further amendments to be offered?"

If other primary amendments—with or without other secondary amendments—are presented, they must be disposed of; and when the Assembly is "ready," the Chair adds, "All in favor," etc.

The formula must be varied to suit the special occasion, as well as the needs and wishes of the Assembly. Any form which is fair and understood, will suffice. It frequently happens that the Chair can safely condense it into the statement "So

ordered, unless objection is made !” whereupon it is so ordered by “silent assent ;”—but not if one objection is made.

SUBSTITUTE MOTION.

It is evident, that under the general rule, that “words stricken out must stay out” and that “words inserted must stay inserted,”—serious complications may arise in the striking out of an entire paragraph or measure. To meet this difficulty, what is known as the “paragraph rule” obtains in legislative bodies, and the “Substitute Motion” in other gatherings.

While the “substitute motion” is not sufficiently deliberate for legislatures, it has become fully established by long continued usage in lodges, conventions, etc. The exigencies of the case frequently demand it ; and especially so, in gatherings of short duration.

When a motion (with or without amendments) is pending, a member offers a “substitute” for it. It is not a proposed “amendment by substitution,” although in line therewith ; and, being offered to expedite business and to curtail debate, it is necessarily not subject to debate until substituted.

It must be germane to the main motion, and ordinarily applies to the whole thereof, ignoring amendments. It may also be made to apply only to a single paragraph or resolution, when the measure is being considered by paragraphs, etc.

Unlike the amendment by substitution, it can be made when a secondary amendment is pending. If adopted, it becomes the pending motion ; and is then subject to amendment or debate, all previous amendments having been disposed of.

ILLUSTRATION.

Moved, That a committee of three be appointed to arrange for a series of free entertainments, to be given in this hall, as follows : [giving details]. Said committee to be vested with full power to do all things needful in the matter ; provided that the expense connected therewith shall not exceed fifty dollars.

[The motion is amended and debated, and finally it is informally ascertained to be unsatisfactory to the majority.]

Member—"Mr. Chairman : I move to substitute for the pending question, the following :

Moved, That a committee of three be appointed by the Chair, to consider the advisability of having a series of free entertainments in this hall, at the expense of the Assembly ; that, if the committee deem the same feasible, it prepare a general outline (with detailed program, if practicable) and report thereon, together with the probable expense, at our next meeting'."

The Chair—"The question is, Shall the motion just read be substituted for [or in place of] the pending question ? [Pause.] All in favor of such substitution, will say Aye ! [Pause.] Contrary, No ! The ayes seem to have it. [Pause.] The ayes have it—and the substitution is ordered. The question is now on the adoption of the substitute. Are you ready for the question ? [Pause, during which it may be amended or debated, or both.] All in favor of the motion," etc.

ANOTHER ILLUSTRATION.

Resolved, That the condition of affairs in Cuba demand that —, etc.

Substitute—Resolved, that, in the interest of Union Labor, the question of Chinese immigration demands that —, etc.

Not in order, because not germane; but an amendment coupling the two propositions might be, if it was apparent that "the condition of affairs in Cuba demands" that "the question of Chinese immigration" be considered in connection with it.

In like manner, a motion relating to Cuba might be extended to include the Phillipines and Guam; or, one relating to all three be curtailed to one or two.

It must be remembered that amendatory and substitute motions must, on their face, be relevant, and that they must be presented at the proper time.

"The confusion which must arise from any irregularity in the mode of putting amendments is often exemplified at public meetings, where fixed principles and rules are not observed. It would be well to become familiar with the rules which, tested by long experience, are as simple and efficient in practice as they are logical in principle."—PALGRAVE.

"When questions are perfectly equivalent, so that the negative of the one amounts to the affirmative of the other, and leaves no other alternative, the decision of the one concludes necessarily the other."—GREY.

LESSON XIII.

When a Member Desires to Move an Amendment that is Not in Order at the time, but affects pending question, he should state his intention of offering his amendment if the pending amendment is voted down.
HENRY M. ROBERT.

ABUSE OF AMENDATORY MOTIONS.

We have seen that the Law of Assemblies Legalizes Deception,—and, at times, apparently contemplates it. While, theoretically, amendments and suggestions “perfect” a measure, in practice the theory is frequently reversed.

Especially is this so in a political convention, when a factional majority is small; and it is frequently witnessed in legislative bodies, under like circumstances. Occasionally, it is found in other gatherings, wherein partizans (not, necessarily, political partizans) are pitted against each other.

If an amendment is relevant and plausible, the Chair must entertain it, since he is not presumed to know the purpose of the mover. Even though manifestly intended to magnify an absurdity, already in the main motion, it will be in order—if not, in itself, absurd.

But, if in itself absurd, ridiculous, or tending to create confusion or disorder, it should be promptly ruled out; even though, in words, germane. If any member is dissatisfied, he may appeal.

The distinction is, that when an amendment, if an original motion, would be out of order, because of absurdity or other reason, it is itself out of order ; but, when it simply points out or emphasizes an absurdity in the main motion, it is in order.

The same rule obtains if a secondary amendment points out an absurdity in the primary ; or, through it, in the main motion.

An amendment, as we have seen, may completely change the purpose of a motion ; but if germane and properly worded, it will still be in order. The Chair should entertain and re-word a motion (when stating it) if the purpose of the mover is clear, but the wording ambiguous.

It is often hard to draw the line, and the Chair is forced, at times, to be somewhat arbitrary—the general good demands it. He should enforce the rules promptly, yet give the mover the benefit of any “reasonable doubt.”

Matters of legality, propriety or consistency, are for argument ; and argument is for the members. When a member is clearly out of order, the Chair should not wait for other members to object. He should, at all times, “preserve order,” and promptly decide side-issues ; leaving the more serious ones, as far as practicable, to the Assembly.

While the apparent range for amendments is very wide, there should be and is some limitation, the principal one being that they must not only be in

order but must be presented in order. No precise rule can be given, but the rule of the national House of Representatives (already quoted) should govern :

"No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."

The trouble is not with the rule, but with its enforcement ; the Chair must act largely "on his own motion," in determining what is and what is not germane, and what is or what is not in order. The presumption is that the Chair means to do right ;—and a like presumption adheres to each member.

An amendment may be in order, and yet, if adopted, force the friends of the main motion to oppose it, as amended. It may make the motion condemn instead of praise, or reject instead of accept, or retard instead of forward, and yet be germane and proper. The majority has a right to so perfect a motion as to be in accord with its views, regardless of the views of its friends ; and to perfect it by the "legitimate abuse" of amendatory motions.

ILLUSTRATION.

Moved, That John Jones be relieved from duty as night watchman.

An amendment, adding the words "and assigned to duty as door keeper," would not be acceptable to those wishing to dismiss Jones.

An amendment, to add to the main motion, the words "for one month, without loss of pay, in recognition of

faithful services," would substitute praise and reward for implied censure, and yet be germane.

On the other hand, an amendment to add to the original motion, the words "at the expiration of his term," while germane, would be out of order because manifestly absurd, since he would be so relieved without action.

ANOTHER ILLUSTRATION.

Moved, That the District Judges be admitted to the floor of the Assembly. [Evidently intended as a compliment.]

Primary Amendment—To add, after "District Judges," the words "and all county officers," so as to admit "District Judges and all county officers." [Germane and possibly well intended, but probably intended to cripple the motion.]

Secondary Amendment—To amend the amendment, by inserting, after "county officers," the words "not under indictment." [Evidently a blow at the motion, but out of order as a secondary amendment. It would be in order as a primary amendment, as it would not be absurd to exclude those who are "under indictment."]

But, a primary amendment to insert, after "District Judges," the words "and all returned convicts sentenced by them," while germane, would be out of order, because an insult, not only to the judiciary (which would alone be sufficient) but to the Assembly itself, even though only intended to kill the motion.

An amendment to the main motion, to strike out the words "that District Judges be admitted to," and to insert, after the word "Assembly," the words "be recarpeted," would be out of order, because not germane; but an independent motion, directing that "the floor of the Assembly be recarpeted," would be in order when no question was pending.

STILL ANOTHER.

Moved, That debate on all questions relating to the study of parliamentary law be limited to one hour. [If adopted, it would make a special rule governing such debates.]

Primary Amendment—To insert, after the word "questions," and before the words "relating to," the words "except those," would be in order, although defeating the purpose of the main motion.

An amendment, to strike out "one hour" and insert "two hours," would be in order; as would one to insert "ten minutes" in place thereof. But, an amendment, to strike out the word "hour," and insert the word "year," would be manifestly absurd and out of order.

An amendment, to insert the word "revenue" for the words "the study of parliamentary law," would be in a sense germane, since the subject matter is the adoption of a special rule aiming to save the time of the Assembly. The Assembly might prefer to curtail the debate on revenue, and leave more time for parliamentary law study.

DILATORY MOTIONS.

The presumption being that the members of an Assembly will dispatch business as fast as it can be done, no rules are provided for the express purpose of preventing action. Yet it often done, by the use and abuse of of parliamentary forms.

An Assembly having the inherent right to protect itself from imposition, the Chair should frown upon all attempts to defeat action by what are known as

"filibustering methods;" and, when necessary, become "a law unto himself." In so doing, he will be supported by the majority;—a majority "acts," while a minority—and, generally, a small minority—"filibusters."

Any and all motions, when used for the purpose of delay, and delay only, are "dilatory motions;" and when motions are unmistakably resorted to for that purpose—to the annoyance, and often disgust, of the majority—the Chair should protect the Assembly, and "overlook" the would-be movers.

The Chair, in such a case, is to be guided, not so much by the mere letter of the law as by its spirit. He is, however, only justified in "overlooking" members, when it is clear, beyond all question, that the minority is trying to obstruct business, instead of expedite it. When this is evident, it is his duty to so far suspend the rules, of his own motion, as to refuse to recognize refractory members; and to ignore motions which would otherwise be proper.

If members are aggrieved, they may appeal; but the Chair would be justified in refusing to entertain appeals, in constant succession, when evidently made for delay. Of course, dictatorial powers should not be assumed, save in case of flagrant abuse; and, in such a case, the Chair should not hesitate to assume them.

In this connection it may be well to quote from one who has, at times, been called upon to "rule

with an iron hand"—probably the best "all-around presiding officer" this country has produced. "Tom REED" says :

"The presiding officer should pay close attention to the debates ; so as to be ready at all times, to interpose for the preservation of order. He should himself always be in order, and act with the same evenness of temper which he requires from others. The presiding officer has great power over debate and decorum, because he represents the consolidated power of the Assembly. It sometimes happens that, in the forgetfulness of temper and of party feeling, the very processes of the Assembly, created to transact business, are so abused as to be in themselves disorder. In that event the presiding officer should disregard such proceedings, after he has become entirely satisfied of their nature, and put only such motions as will expedite the will of the Assembly. Necessarily, such a course is to be taken very rarely ; and after the offence is clear to all. For such action, a presiding officer is responsible to the Assembly, after the transaction is over."

"Dictatorial powers should not be assumed by the Chair, except in cases of most gross and flagrant abuse of privilege. In almost every case, those who filibuster find that they have accomplished nothing, and that they have frittered away as much of their influence in the Assembly, as of its time."—CROCKER.

"The rules of the Assembly may be so abused as to create disaster and impede business, instead of facilitating it. In such event, the Chairman may decline to accept any dilatory or obstructionist motions, and put only such motions as will expedite business."—AINSWORTH.

LESSON XIV.

Wherever there is an Assembly there is Need of Parliamentary Law; so that the assembly may proceed in orderly fashion with as little jar and discord as possible. Every assembly meets with the implied understanding that it will be governed and controlled by the general custom applicable to assemblies.—THOMAS B. REED.

ASSEMBLIES.

We have now reached a point where the subject of Assemblies may be briefly considered. Assemblies differ in purposes, requirements, and membership; but all need rules, and parliamentary law, except as modified by the general law, or by special rules, applies to all.

It is never necessary to adopt rules for the purpose of organization; nor can rules of any kind be adopted during "temporary organization." In other words, every Assembly meets with the implied understanding that it will be governed by existing law.

Until fully organized, an Assembly can make no special rule for itself. Later it may modify parliamentary law; whereupon, it will still be governed by the law of assemblies, except as so modified. All things must be done, at least in theory, decently and in order.

VOLUNTARY ASSEMBLIES.

Voluntary Assemblies are of the simplest character. All who meet the requirements of the call may take part; but no business can be transacted other than as stated in the call, or germane thereto.

Old-time political caucuses and mass-meetings, and meetings to consider special matters of general or local interest, are of this class; and in such meetings special rules are seldom required. But, even in voluntary assemblies, special rules may be adopted, if so desired.

REPRESENTATIVE ASSEMBLIES.

What is known as a Representative Assembly, (in a general, not a legislative sense,) is one which is called by a committee, or other competent authority; the membership of which assembly is to be composed of representatives chosen by other assemblies to represent them.

This class includes political and other delegate-conventions which require members to present "Credentials;" showing their right to represent those in whose behalf they claim to act.

In this class of assemblies, special rules, (in their proper sense,) are seldom adopted; too often, however, they adopt the entire rules of some other assembly—as "the rules of the Senate"; rules with which few, if any, of the members are acquainted—and which, too frequently, enable the few to entrap the many.

LEGAL ASSEMBLIES.

In a strict sense, Legal Assemblies are those constituted by law, or by the operation of law, and are composed of members elected thereto, or appointed as by law provided.

Constitutional conventions, legislatures, city councils and official boards are of this class. Generally, they find it necessary to supplement the law of assemblies with special laws or rules; and, in such bodies, "the rules of the last assembly," with modifications, are generally adopted early in the session—often to the regret of new members.

Lodges and other assemblies, which meet in pursuance to the law of some higher assembly, and have authority to adopt by-laws, etc., not conflicting therewith, may be considered legal assemblies for parliamentary purposes. While lodges have more latitude than those directly responsible to the courts for any wrong-doing, the method of organization is fixed and the organization itself effected and maintained under the "higher-law."

ORGANIZATION.

The object of organization being to facilitate action, let us determine what sort of an organization is needed, and how to effect it.

SIMPLE ORGANIZATION is had where but one meeting is to be held, or a single purpose to be accom-

plished. It is subject to the will of those who issued the call; or of those who responded thereto.

FORMULA.

At the appointed time, any one entitled to participate, ("by courtesy," one of those calling the meeting,) rises and calls the meeting to order. Generally, he reads the call, or states the purpose of the meeting, before asking that a nomination be made for chairman, thereby constituting himself the preliminary (not "temporary") chairman.

A name being moved, or suggested, and no other name presented, he states and puts the motion and announces the result. If lost he should again ask for a nomination. If, however, two or more names are presented, they are to be voted on in the order of their presentation—whether moved or suggested (no seconder being required)—in "first named, first put," order, regardless of number, until a majority shall favor one of the names so presented.

A Chairman being chosen, the Preliminary Chairman retires, whereupon the Chairman at once asks for nominations for a Clerk, who is to be elected in like manner.

The meeting is then organized and ready for business.

If Vice-Chairmen are desired, they should be elected after the organization proper is completed. They are not needed to complete the organization; but one Clerk is, in order that a record may be kept from the start. If one Vice-Chairman is elected, there may be ten; making a prolonged contest with no record thereof.

In electing officers, in such a gathering, the viva voce method should be used; but any Assembly may require a ballot whether electing temporary or permanent officers.

The foregoing is all the organization needed in assemblies in which no credentials are required, or in

which there is no question as to the rights of those present to take part.

DOUBLE ORGANIZATION.

If the assembly prefers a double-organization, the organization above mentioned may be termed "temporary," or "preliminary," in the first instance, or declared so later.

At any time, and in any assembly, (unless prevented by general or special law or rule,) any officer may be superseded at the will of the majority; and this after a so-called "permanent" organization has been effected. An assembly is at all times its own master; and may make or unmake its officers—except as restrained by the general law or its own rules.

The term "Double-Organization" must not be confounded with "Dual-Organization." The latter is where an Assembly is composed of two branches—as a Senate and a House of Representatives—while "Double Organization" relates to Assemblies in which a "temporary organization" is first effected, followed by a "permanent organization."

"When a "Double Organization" is needed, (as it generally is in a delegate-convention,) it is effected, in the first instance, substantially as a simple organization. It can transact no business, while temporarily organized, other than to provide for the permanent organization; and, even then, is confined to what is absolutely necessary to be done.

TEMPORARY ORGANIZATION.

The Preliminary Chairman (not the "Temporary Chairman") is generally a representative of those calling the meeting or convention, or some one acting on behalf of a committee, or of the prime-movers. He should call the meeting to order and request all entitled to seats to take them in the body of the hall, and ask others to keep separate from the delegates; and at once "read the call."

Frequently cards are issued (or instructions given in advance) to the end that none but delegates shall gain entrance to the hall—or to the main floor;—but, when temporarily called to order, the right of any one to participate cannot be questioned, even if known not to be a delegate. His "credentials" must speak for him; and credentials cannot be demanded from one in advance of a demand for the credentials of all.

The "Call" having been read, the Preliminary Chairman calls for the nomination of a Temporary Chairman. When one is elected, he takes the chair, and a Clerk is elected; whereupon temporary organization is effected. If other temporary officers are desired, they can then be chosen.

Sometimes the Preliminary Chairman (acting in behalf of the committee) presents a name for Temporary Chairman, in which case it is simply the first name presented, and therefore the "first put." The assembly is "master of the situation,"—by "appeal," if necessary.

It is not in order for the committee to present the names of candidates for Temporary Chairman and other officers in one motion,—"slates" not being a part of the law of assemblies.

The Temporary Chairman must put all questions proper to be put, save on his own election; but, if he first recognizes a committeeman, the committee's selection for Clerk would be "first named," and therefore, "first put." Not being

necessary to a temporary organization no other officers should be elected;—it might cause unnecessary delay, since their credentials may be questioned.

During a preliminary or temporary organization, while no man's right to a seat as a member may be challenged, his right to preside may be. In such case, a majority of non-contested delegates may pass upon his credentials; it must, however, be done before his election—not afterward. The same rule obtains as to Clerks and other officials, and to members of committees.

When a temporary organization has been effected the only thing which can be done, in strict accordance with the law of assemblies, is to pass upon the credentials of members, with or without the intervention of a committee.

The Assembly is the tribunal which must pass upon the credentials, and is practically a law unto itself in so doing; except that those whose seats are uncontested are to determine whether certain other persons are or are not entitled to seats. As fast as they are pronounced members, they, in turn, may assist in determining the status of others not yet passed upon.

PERMANENT ORGANIZATION.

The credentials having been passed upon, but not before, the organization, (which is no longer "temporary" except in the sense of having "hold-over" officers) proceeds with the business of the convention. This generally commences with the election of permanent officers, the personnel of the convention having been established.

Officers may be elected substantially as before. Or, a motion may be made to "make the temporary officers the permanent officers," the mover putting the question. The mover does this, not because of the supposed modesty of the Chair-

man, but because no one should put any motion and take the vote, when he has a "special interest" in the result.

Frequently a Committee on Permanent Organization is appointed, which committee presents a list of officers, when the report may be adopted as a whole. Or, it may be divided, and the names voted upon in their order, subject to amendment on the "first named, first put" plan. Ordinarily the committee is appointed by the Temporary Chairman; but need not be unless the majority so order—and should not be until after the question of membership is fully settled.

The Permanent Organization, as generally understood, commences when the permanent officers have been chosen. In fact the status of the Assembly is fixed when the credentials have been passed upon; and, being "fixed," is permanent.

The members may only be displaced because of their own wrong doing; but the officers may be displaced, as we will see, at the caprice of members, without any reason being assigned therefor.

In case of disorder, anyone may be ejected who does not produce what purports to be his credentials, and what are recognized as such; and if, at any time, a breach of the peace occurs any offender may be ejected. "The end justifies the means;" but no more force must be used than is necessary.

The Chair may call on the constituted authorities to eject offenders, if need be; and officers or citizens, responding thereto, would be protected in so doing to the same extent as though quelling any ordinary disturbance.

LESSON XV.

It is the Duty of Every Person Participating in the Proceedings to observe the rules of parliamentary procedure, and to aid the presiding officer in enforcing them.—JOHN L. BRANCH.

QUORUM.

No arbitrary rule as to what constitutes a quorum can be stated. In the absence of a special rule, and as a general proposition, those who attend constitute a quorum, regardless of the number entitled to attend. Political caucuses and conventions, town meetings, stockholders' meetings, and all ordinary voluntary assemblies are of this class.

In representative bodies of a permanent character, such as city councils, boards of directors, etc., a majority is required unless the law directs otherwise. Generally a quorum is fixed by the law or authority under which an assembly acts. In voluntary assemblies having regular meetings from time to time, a quorum is fixed by the body itself. In all other assemblies those who attend constitute a quorum.

When a quorum is fixed by law or rule, the Chair should not call the Assembly to order until a quorum is present; except to declare it adjourned for want of a quorum. But, after being called to order, a quorum being present, it is to be deemed present until a question of "no quorum" is raised; even if the number vot-

ing does not show it. The chair is not presumed to know that a sufficient number of members have left the hall to leave no quorum present; that must develop where the question is raised.

In the absence of a rule to the contrary, "a majority of a quorum can act,"—that is, it can adopt or defeat a motion. If no question is raised at the time, a majority of those present, (even though no quorum be actually present) may act; and ordinarily, no question will be raised later.

A member who permits a thing to be done in his presence, which he could have prevented by interposing an objection, cannot afterwards question it; but one who was not present may later question it, since even "unanimous consent" is not sufficient in the absence of a quorum.

It is not necessary that a majority of those present shall act directly; those who do not act waive their privilege, and a majority of those who do vote bind the assembly. In the absence of a rule to the contrary "a present, and not a voting, quorum is sufficient."

Less than a quorum can adjourn; from time to time, or for hours or days. The Chairman alone or the Clerk alone, may do so if no other attend. So may any one member; but, in the latter case, he must notify the Clerk in order that a proper record may be made.

When so adjourned the assembly must stand adjourned, even though a quorum arrive immediately thereafter; but no such adjournment can be had beyond the then next regular session of the assembly.

It will be seen that, in Lodges wherein the members are dilatory, the officers can, when advisable, teach them a salutary lesson. A few adjournments of this character would bring about a more prompt attendance. And in Lodges wherein the officers are habitually late, they may be admonished also by a prompt adjournment.

Where, by special rule, it is provided that the assembly is to meet at a fixed time, and to be called to order within a certain period thereafter, no adjournment can be had (for want of a quorum) until such limit is reached. If one or more members are present, before such limit is reached, and do not adjourn for want of a quorum,—but remain until a quorum arrives—a legal meeting may be held, regardless of the hour. If none so remain, (an adjournment being declared) those coming later cannot hold a legal meeting.

ORDERLY PROCEDURE.

The topics of "Debate" and "Decorum" must necessarily be considered together. Gross "indecorum" being another topic.

Decorum depends largely on surroundings—on the nature of the meeting and the place where it is held. Far greater freedom must be permitted "on

the stump" than in a public hall; and more in a public hall than in a lodge-room.

The Chairman should at all times conduct the meeting, as near as may be, in accordance with established forms; to the end that, after proper consideration, the will of the majority shall be fairly ascertained, declared and recorded.

"A Chairman who treats all members alike, and listens to the debate—not only sets a good example to members, but is frequently able to prevent discord by prompt action." Any show of favoritism on his part will create a lack of confidence, and tend to destroy his usefulness as a presiding officer; and ignorance of the proper forms of procedure may involve the meeting in confusion. In referring to himself he should always use his official title, as "the chair decides that —," etc., not "I decide," etc.

As a rule the Chairman should take no part in debate; and under no circumstances should he debate a matter from the chair. If he desires to argue a question, he should call another member to the chair, and not resume it again until that question has been decided. He should not place himself in a position to decide even incidental questions, arising on a main motion, the merits of which he has already openly discussed.

While treating both sides fairly, the Chair must in all things represent the consolidated power of the

whole Assembly and not allow its purposes to miscarry. While it is for the assembly and not the Chair to decide what is fair, or unfair, for the assembly to do, the chair must "take the bit in his teeth," when necessary. When the rules are so abused as to create disorder, he should entertain only such motions as will enable the assembly to declare its will.

At times, the Chair must assume that a certain motion is before the Assembly, because it ought to be. But, he should so act only when clearly necessary.

In a word, when by reason of disorder, the majority is incompetent to act, although prepared to do so, it should be protected from "guerilla warfare"—"gag-law" being better than "mob-law"—and the Chair, (subject to control by the interposition of an appeal) should protect it.

BREACHES OF ORDER.

"It is a breach of order to cast reproach on the existing government, (or, in Lodges, on the Grand Lodge or Grand Officers); or against the laws as being tyrannical and oppressive;" but a law may be condemned in debate when its repeal or modification is proposed.

It is also a breach of order to interrupt a member who is in order; or to question a ruling of the Chair when no appeal is taken. On the other hand, if the Chair refuses to put a question which is in order, the Chair is out of order.

The Chair should, at all times, repress any and all things tending to create confusion. It is always out of order to make uncalled for interruptions of any kind or to indulge in conversation or what is termed "loud whispering"—all should attend to what is being said.

Nor is it proper to pass between the presiding officer and a member who is speaking, when it can be avoided; or to walk across or around the hall when unnecessary.

It is likewise improper to remain standing when seats are provided; and applause of any character or hissing or other manifestation of disapproval is out of order in deliberative bodies or other gatherings governed by parliamentary law.

It is a breach of order to impute bad motives, or motives different from those alleged by a member; or to charge falsehood or deceit unless charges are to be preferred; or to use any contemptuous, unbecoming or insulting language toward a member or any co-equal organization.

Reference must not be made to anything said or done in committee, unless as a basis for proceedings for improper conduct, the report of the committee being alone for consideration.

Nor are words spoken in a former debate to be stated; if offensive they were then subject to censure, and if not then censured it is too late now. "Temperate and decorous language is never more desirable than when canvassing the opinions and conduct of others."

LESSON XVI.

The Purpose of Debate is to Produce Unity of Sentiment in the Assembly, by such a comparison of views as will enable a majority to form a just judgment on the subject before them for action.—THOMAS B. REED.

RELATIVE TO DEBATE.

If, when a motion has been stated, any member is not "ready for the question," but desires to make an amendatory or other motion, or to debate the question, he must first "obtain the floor," as in the case of an original mover.

As a general proposition, all main motions are amendable and debatable; because it is desired, by the free and fair expression of opinion, to ascertain the deliberate and not the hastily-formed opinion of the majority.

Exceptions to the rule are found, when motions are already perfect in form, or when instant action is required, in order to dispatch business.

A main motion must precede debate; since there is no question to be discussed. The motion, when made, may not be in order, or may itself be undebatable. Even though in order and debatable, the Assembly may not then be disposed to consider it. To give to any member a special privilege over another, would be manifestly unfair; and to permit general debate, in the absence of motions, would be fruitless.

when other designations will suffice. Instead of names, such terms as "the mover of the resolution," "the last speaker," or "one of the opponents of the measure," should be used. In the language of Mr. WAPLES:

"It seems needless to say, that all personalities and ungentlemanly language and manner must be avoided in debate; that deference to the presiding officer must always be observed; that useless questions to and interruptions of the speaker should not be indulged; and that orations foreign to the question should be discountenanced, as abusive of the privileges of the Assembly and tending to embarrass free deliberation and to defeat its legitimate end."

But Mr. WAPLES does not go far enough. In either case mentioned the Chair should not wait for others, but enforce the rules, "of his own motion," and not permit the expressions to go unnoticed or uncensured which may give just ground of complaint to others.

DISORDER.

When a disorderly member is persistent, and refuses or fails to obey the Chair—yet does not appeal—he should be promptly "disciplined." Every Assembly has the inherent right to determine the facts and punish its own members for "contempt," without the delay and formality of ordinary trial-procedure.

If the Chair fails to act, any member may have the rule enforced; to do which he must, at once, call the offending member to order, and ask that the words uttered by him (specifying them) be "taken down."

When a member, however, abuses his privilege, the Assembly may protect itself from speeches of annoying length, especially when evidently made to waste time.

In extreme cases (without waiting for the Assembly to act) the Chair should suggest to the member that he "confine himself to the question," or "talk to the question." If the member still persists the Chair should rule him out of order; and let him appeal, if he deems proper.

An Assembly has a right to protect itself, under all circumstances; and conditions might warrant an "incidental motion," of the "emergency" order, to "deny the member a further hearing because of the necessity of prompt action," as where he lapses again into tedious and excessive repetition, or otherwise "talks against time."

No member can speak more than once on the same question until others desiring to speak have been heard. Each amendment or other intervening motion, however, is a separate question; and each time a motion is amended, it is a new motion.

Nor can a member be allowed to speak in opposition to his own motion, or amendatory motion, although he may vote against it.

In debate a member must stand and face the Chair, even though not facing the Assembly, unless the Chair directs otherwise. This rule does not strictly apply in small gatherings; nor in Lodges, where the seats face each other.

DIVIDING "RECOGNITIONS."

If the Chair knows who are for and against a proposition, he should divide "recognitions." The rule of "first up—first recognized" should be followed in spirit, and not in letter; fair play must be shown, or those slow to rise may never be "recognized."

If the mover and another rise to debate the question, the mover should, by courtesy, be first recognized. He is deemed to have considered the subject, and a statement from his may prevent lengthy debate. Moreover, it may prevent hasty action on a measure, before the Assembly knows what the mover claims it will accomplish.

A common usage is to recognize the seconder for the second speech; but this is a matter of courtesy and, frequently, "more honored in the breach than in the observance," since the seconder will be in better shape to aid the Assembly after the opposition, if there be any, has been heard.

Incidentally it may be stated that the member of a committee presenting a report, is practically the mover, and should be the "first recognized." The report is the work of the committee, which is also presumed to have considered the subject; and its views are even more important than those of the original mover.

READING A SPEECH.

There is no fundamental rule against a member reading a speech (unless to kill time). It is subject

to the rule governing oral debate; and the privilege is so easily abused that nearly all legislative bodies regulate the matter by special rules, and the rule may now be said to limit the reading. The rule of the lower house of Congress is—

“A member is not to read his speech, but may refresh his memory by reference to notes.”

In practice, the speech itself is often the only “notes” referred to; but the speaker must, occasionally, look at the presiding officer.

In Lodges, conventions, etc., few speeches are written out; or, if written out, they are generally committed to memory and delivered “impromptu.” In such meetings, unless a special rule prevents, speeches may be read; but they must, of course, be relevant to the subject under consideration—or appear to be.

EXPLANATIONS.

When a member has exhausted his privilege—in the number or length of his speeches—he can only regain the floor for debating purposes by consent of the Assembly.

But, if he claims to have been misunderstood, or misrepresented, or that an important fact has been overlooked, and desires to “make an explanation,” common usage permits it—by “silent assent,” or by formal vote. He must not, however, “under color of

explanation," again discuss the question. Nor can he state "what he was going to, but neglected to say;" or explain or reply to the language of another member; or justify his own conduct; or advance any new reasoning or argument.

When a member obtains the floor, for any specific purpose, he must confine himself thereto; if he wanders, the Chair should direct him to confine himself to the specific purpose. An "explanation" must not advert to anything outside of an explanation, pure and simple—it must not refer to things not absolutely necessary.

LIMITED DEBATE.

If the time for debate is limited, by a special rule, it must close when the time expires (unless extended); regardless of those who have not spoken, but desire to be heard. When no limit has been fixed there must still be an end to discussion; either by the intervention of another motion, or by silent assent—no other member claiming the floor.

"By courtesy, but not by right," the mover of the main motion should also be allowed to close the debate—and, in some cases even though it be ordered closed. While, as a rule, it is out of order to speak, after the debate is actually closed, circumstances will sometimes justify the reopening of debate, in "a very extreme and meritorious case," of which the Assembly is to judge.

It frequently happens, when a roll-call is had, that a member is allowed to "explain his vote," and at the same time briefly debate the question—not "under the rule," but by toleration.

YIELDING THE FLOOR.

While the rule provides that a member who is in order shall not be interrupted, "interruptions, in the form of questions," are recognized and indeed common. To prevent confusion, the questioner must ask his question and receive his answer "through the chair." A running fire of questions and answers, though often permitted, is always out of order. Frequently direct interruptions are made and questions asked and answered without preserving these formalities, but a single objection should stop it.

"Yielding the floor for a question" should not be encouraged, as it tends to provoke a personal colloquy, to avoid which the Chair should be addressed prior to each question and answer and without "notice" or "recognition."

ILLUSTRATION.

Member—"Mr. Chairman: Let me interrupt the gentleman." [Or, "will the gentleman yield to a question?"]

The Chair—"Will the gentleman yield?"

Member—"Mr. Chairman: I decline to be interrupted!" whereupon he continues his remarks.

If, however, he responds, "what is the question?" he takes his seat, and the questioner propounds his inquiry, which may

or may not be answered; and which may or may not be followed by other questions and answers, in the same manner—through and under control of the Chair.

The member—according to old-time writers—“having yielded the floor, lost it,” but “is uniformly allowed to proceed.” The modern rule, (as practiced everywhere, save in “might-makes-right” gatherings,) is that when a member “yields the floor” for an explanation, for a special order or privileged question, or for any purpose by request—and does so “through the Chair,”—he regains it, after the “interruption,” for the purpose of finishing his remarks. If he does not do so “through the Chair,” he forfeits such right.

It is apparent that “the very act of submitting to an interrogation involves the re-taking of the floor for the reply.” However, if he yields the floor to another, not for a question, but for debate, or for another kind of motion, he abandons it to the Assembly; and, having abandoned it, the Chair may or may not recognize the member in whose behalf he yielded it.

When, however, a time-limit has been fixed, and each member is allowed a certain time for debate, a member, who has obtained the floor may yield a portion of his time, for interruptions or remarks, to one or more members, and renew at pleasure until his time is exhausted. In legislative bodies, the member who, under such circumstances, obtains the floor, frequently divides his whole time, although in so doing the rule is abused.

An important rule, which is concisely stated by Mr. Reed, and which may be frequently reiterated, is that—

“Members who are not speaking must be silent, refrain from expressions of disrespect, or offense, must not read papers or pass between the member speaking and the presiding officer. They must not interrupt the member speaking, without his consent. They must enter and leave the assembly properly and quietly.”

“Never interrupt members, while speaking, simply because you know more about the matter than they do; never get excited; never be unjust to the most troublesome member, nor take advantage of his ignorance of parliamentary law, even though a temporary good is accomplished thereby.”—ROBERT.

“If a member finds that it is not the inclination of the Assembly to hear him, it is his most prudent way to sit down, for it scarcely ever happens that they are guilty of this piece of ill manners without sufficient reason, or inattentive to a member who says anything worth hearing.”—HATSELL.

“He who rose first is to be heard; and it is a breach of order for another to interrupt him, unless by calling him to order if he departs from it.”—JEFFERSON.

“The action of another assembly should not be referred to to influence the assembly the member is addressing.”—REED.

LESSON XVII.

The "Question of Consideration" is a Protest Against Any Action Being Taken—a sentinel standing at the door of parliamentary deliberation, forbidding the intrusion of unimportant and unprofitable subjects.—
JOHN L. BRANCH.

QUESTIONS OF ORDER.

"Questions of Order" give rise to the largest class of incidental proceedings; and, as they take precedence of any proposition concerning which they are raised, they must necessarily be first decided. In deciding them, the Chair must use common sense in the enforcement of a rule, and comprehend its purpose, as well as the letter.

A member may be out of order by reason of words spoken; of improper language; or by wandering from the question; or by improperly interrupting another; and the Chair simply say

"Let us have order!"

Or, "The gentleman will proceed in order!"

Or, "The gentlemen will confine himself to the question!"

Or, "The gentleman will please not interrupt the speaker!"

Or, Other proper remarks; or by pointing out why the member is out of order, which is seldom necessary.

If, however, the Chair fails to act, any member—through the Chair, and not otherwise—may call another to order, and may interrupt him in his remarks.

Indeed, a "point of order," arising in debate, generally requires such interruption.

ILLUSTRATION.

The usual course is for a member to rise, face the chair, and (without notice or recognition) say: "Mr. Chairman, I call the gentleman to order!"

The Chair—[to member called to order]—"The gentleman will take his seat! What is the point of order?"

[The member states it and takes his seat.]

The Chair—"The point is well taken; the gentleman will proceed in order!" [Or, "The point is not well taken; the gentleman will proceed!"]

RIGHT OF APPEAL

Any member may appeal, from the ruling of the Chair to the Assembly. If a question of order is raised against any motion, or proceeding, it must be by way of interruption or it is deemed to be waived. If debate has been allowed without objection it is too late. But, if a member attempts to raise the point of order, and is prevented, for any reason, from so doing, his right is saved, and may be renewed when opportunity offers at any time before action.

ILLUSTRATION.

When the question of order relates to procedure the form should be substantially as follows:

Member—"Mr. Chairman, I rise to a point of order."

The Chair—"The gentleman will state his point of order." [Or, "Please state the point of order."]

Member—"Mr. Chairman, the point of order is this: Our Order of Business provides that communications shall be read

next after reading of the minutes; they have been overlooked."

The Chair—"The point is well taken, and communications will now be read."

A question of order is only debatable when the Chair requests it (prior to decision thereon), for his own enlightenment; in which case he may recognize such member or members as he sees fit, since he is seeking advice, before deciding the question. When ready to decide, he stops the debate.

In giving his decision, the Chair may state (or withhold) his reasons therefor. [If stated, the appellant may be satisfied and thus preclude an appeal.]

The member raising a question of order may simply state it. He cannot explain or discuss it even though the Chair calls for debate—unless the Chair so desires or the Assembly so directs—the purpose of the debate being wholly to satisfy the Chair and not the member. If the decision is deemed wrong the remedy is to appeal.

When the Chair or any member points out that the business of the Assembly is not being conducted in proper order, a correction should at once be made. If the claim, when made by a member, is disputed, it must be passed upon by the Chair, subject to appeal.

When a question of order is overruled on one ground, another may be raised on another ground, by the same or by another member. [Incidentally, although the topics have not all been reached, it may be stated that a "Question of Order" cannot be "amended" or

"committed." If "postponed," or "laid on the table," the measure to which it was applied goes with it—they cannot be separated except by decision or appeal.]

While, as we will see, the Chair may reply to any proper "Parliamentary Inquiry," he should not, (in reply to a question by a member involving a question of order,) express an opinion before a point of order is raised; but no appeal can be taken from a mere opinion. Such a question should be passed upon only when raised as a question of order, and not a mere inquiry. But, the Chair may see fit to pass upon it, of his own motion.

RELATING TO DECORUM.

When the question of order relates to decorum, (in the case of a palpable, or apparently deliberate, but not vicious breach of order,) the Chair, instead of mildly calling the member to order, as stated, should "silence the offender" at once

"The gentleman is clearly out of order and will take his seat!"

Thereupon the member loses the floor and no further proceedings are had, unless at the instance of another member.

Of course, when the question of order relates to procedure, and not to decorum, the member does not lose the floor if the main question is still in order.

When, pending a decision on a "point of order," another point of order is raised, the rule, (to avoid

confusion and delay,) requires the second point to be at once decided, and without debate. No appeal is in order from such decision. Circumstances might arise, under which a partizan chairman might make the rule work a hardship. "The end justifies the means," and if a wrong is done, it may be reached later.

IMPROPRIETIES.

A common impropriety, but one which involves disorder only when persisted in, is in alluding to proceedings in or before committees. Nothing should be revealed to the Assembly, or its members, as to the manner in which conclusions are arrived at—nor as to anything not shown in the report itself,—unless an offence is charged, in the form of a question of privilege.

Nor is it proper to question the propriety of a previous act of the Assembly itself, unless it is proposed to rescind the same; or, unless it has been reconsidered, and is again before the Assembly.

In speaking of alleged improper proceedings in another Assembly (when in order) only general terms should be used, and the particular Assembly should not be mentioned. Nor should any personal allusions, in connection therewith, be indulged in; unless absolutely required as a preliminary for, or in connection with, a formal complaint.

INTERRUPTIONS.

The member speaking has a right to the floor and must be protected from interruptions, if he so request; and without such request, when evidently for the sake of interruption.

Calling the word "Question!" "Question!" or any like exclamations, as we have seen, is never in order; and is a breach of order when another has the floor, even though he may be abusing his privilege. A member must not be "taken off his feet" in that way. If in order, he has a right to proceed, and, if not, he should be called to order, in a proper manner.

A member is presumed to subserve the interests of the Assembly; and must "talk to the question" and not waste time. If he abuses his privilege, by long and unnecessary speeches, (and especially if not "talking to the question,") the Assembly has its remedy; the member may be interrupted, by a point of order that he is not confining himself to the question, or that he is otherwise abusing his privilege. In extreme cases, the Chair should so rule, without waiting for the point to be raised.

A question of order is always in order when any thing is out of order—whether of omission or commission—and suspends all other business until it is decided. Nor can it be "side-tracked" by the intervention of other motions; save in exceptional cases, which we will reach later.

The question must be raised immediately on the happening of the proceeding objected to. If other business is allowed to intervene, it is fatal; but no condition of things will prevent an Assembly from protecting itself, even though it be necessary to ignore its own rules.

CALLING THE CHAIR TO ORDER.

When the Chair is called to order—which may occur—the question, “Shall the Chair proceed?” must be put by the Chair without debate. The question is an appeal from the action of the Chair—not from his ruling. If the Chair fails to put the question, the Vice-Chairman (if there be one) should do so. If there be no Vice-Chairman, or if he fails to put the question, it devolves upon the Clerk; and, if he fails, any member (even one calling the Chair to order) may put the question. It is an emergency, and an emergency must be met—necessity makes the rule.

Representing, as he does, the consolidated power of the Assembly, the Chair has great power over debate and decorum; but he is responsible to the Assembly for any abuse of such power.

Being elected by the Assembly, the Chairman may be removed at will; whenever he has forfeited his privilege, or lost the confidence of the Assembly. This

may be done, even though elected, by the Assembly, for a specified term which has not expired.

In other words the Chairman is the creature of the Assembly; the Assembly itself is supreme. But no Assembly should so use its power, save in an extreme case.

"The Chairman should use judgment. The Assembly may be such that a strict enforcement of the rules instead of assisting would greatly hinder business; but, in large assemblies, where there is much work to be done, and especially where there is liability to trouble, the only safe course is to observe a strict observance of the rules."
—ROBERT.

"Only by adherence to proper forms can the weaker party be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too apt to suggest to large and successful majorities."—JEFFERSON.

"Any member may call another to order, through the Chair; but it is obligatory upon the Chair to see that all rules are enforced, and that all motions which he entertains are in order."—CROCKER.

"The point of order is not to be classed with subsidiary motions. It is an individual motion, and one of the most direct in changing the position of a question."—REED.

"Deliberative assemblies have the right to adopt any rules they may choose for their own government."—PAYNE.

LESSON XVIII.

A General Knowledge of the Proper Rules Always Tend to Economize Time, secure the dispatch of business and harmonize all proceedings.—JOSEPH B. BURLEIGH.

APPEALS AND PROCEEDINGS THEREON.

Regardless of the merits of the ruling, the Assembly should support, or, more properly, not antagonize, the Chair unless an appeal is taken. If an appeal is taken, it should, of course, be decided on its merits; and, if the appeal is sustained, the member regains the floor without a motion.

An appeal from the decision of the Chair on a question of order, whether relative to decorum or procedure, requires prompt action; otherwise it would be absurd to take it. It must, therefore, be taken forthwith, unless prevented by a more highly privileged motion.

The appeal may be moved by any member, and must be seconded;—if only one question the decision no time should be lost.

The appellant has the right to state the grounds of appeal; and the Chair to state the reasons for the ruling. They must be heard, even when the rule provides that appeals shall not be debatable.

As a general proposition,—that is in the absence of a special rule,—appeals are debatable, and subject to

the ordinary rules of debate. No one is to speak twice until all have been heard; the appellant being allowed to open and close, as a matter of courtesy. The debate is subject to closure by incidental motion.

An appeal from a decision that certain words used constituted, or did not constitute, a breach of order, is an exception to the rule, and not debatable. The words were uttered in the presence of the Assembly and presumably the members are prepared to act, while discussion might lead to personalities and further disorder.

Another exception is, when the main question is undebatable and still another when the issue relates to priority of business. By general consent, restrictions are frequently relaxed, especially when the point of order is new, difficult and important. [Other exceptions will be noticed when the "previous question" and the motions to "lay on the table" are considered.]

ILLUSTRATION.

In taking an appeal, and the procedure thereon, an accepted form is:

Member—"Mr. Chairman: I rise to a point [or question] of order."

The Chair—"Please state your point of order."

[Member states it; the Chair rules.]

Member—"Mr. Chairman: I appeal from the decision of the chair."

The Chair—"Is the appeal seconded?" [When seconded, if a seconder is required, the chair adds:]. "The Chair ruled [stating ruling] which ruling is appealed from. The question

is, Shall the decision of the Chair be sustained? Are you ready for the question?"

[When ready—that is, when explanation and debate, if any, is at an end]:

The Chair—"As many as are of the opinion that the decision of the chair should be sustained will say Aye! [Pause.] Contrary, No!"

[Result announced.]

Even when the appeal is undebatable, the question "Are you ready?" should be asked. This is done, not to invite debate, but because the Assembly may prefer to take a recess, or adjourn, and in such a case the appeal would be carried over with the main motion to which it adhered. [Or, the appeal, as we will see, may be "laid on the table"; which would, in effect, sustain the chair.]

If other questions arise, during a "division,"—that is, while taking a vote on the appeal—the Chair must decide the side-issues summarily, subject to future censure if irregular or partial. [The Assembly not being then in a position to decide for itself, the exception is necessary.]

WHEN THE VOTE IS A TIE.

Authorities differ as to the effect of a tie-vote on an appeal, the old-time writers uniformly holding that the Chair is not sustained because of the peculiar wording of the question; and many mere copyists hold likewise. Modern writers, (including REED, CROCKER, WAPLES and ROBERT,) agree that, on a tie-vote, the

chair is sustained. Were it otherwise, less than a majority would overrule the Chair; and one-half must not reverse the Chair, when supported by the other half.

On an appeal, the Chair has no "casting vote"—and he needs none. If a member of the Assembly, he may vote as a member, not being deemed to have a "personal interest" in the matter. As a rule, however, he should refrain from so doing; as should the appellant. Members actually "affected" by an appeal—as where it involves something more than a mere question of order—should not be allowed to vote, since they have a personal interest therein.

An appeal may be withdrawn, and if withdrawn may be renewed by another, unless in the interval the Chair reconsiders his ruling. But an appeal, which has been acted upon, cannot be renewed, even if other grounds be suggested,—the occasion has passed.

An appeal may be disposed of—or the issue dodged—without passing upon its merits, by the application of other motions, to be reached later. A mere "opinion" of the Chair, drawn out by a question, is not appealable.

PERSONALITIES.

A distinction must be made between "Personalities," and "Gross Personalities." Of course, both should be avoided, and promptly checked. To this end the names of members are not to be used in debate,

when other designations will suffice. Instead of names, such terms as "the mover of the resolution," "the last speaker," or "one of the opponents of the measure," should be used. In the language of Mr. WAPLES:

"It seems needless to say, that all personalities and ungentlemanly language and manner must be avoided in debate; that deference to the presiding officer must always be observed; that useless questions to and interruptions of the speaker should not be indulged; and that orations foreign to the question should be discountenanced, as abusive of the privileges of the Assembly and tending to embarrass free deliberation and to defeat its legitimate end."

But Mr. WAPLES does not go far enough. In either case mentioned the Chair should not wait for others, but enforce the rules, "of his own motion," and not permit the expressions to go unnoticed or uncensored which may give just ground of complaint to others.

DISORDER.

When a disorderly member is persistent, and refuses or fails to obey the Chair—yet does not appeal—he should be promptly "disciplined." Every Assembly has the inherent right to determine the facts and punish its own members for "contempt," without the delay and formality of ordinary trial-procedure.

If the Chair fails to act, any member may have the rule enforced; to do which he must, at once, call the offending member to order, and ask that the words uttered by him (specifying them) be "taken down."

The Chair then determines, subject to appeal, whether or not the words are disorderly—and directs that they be or be not taken down, accordingly.

When the words have been “taken down,” they constitute the specification of a general charge of “conduct unbecoming a member, in the presence of the Assembly, or something akin to “contempt in open court.”

The words so taken down (or dictated by the complainant) are then to be read to the member; and unless so read, no further proceedings can be had. Of course, if the member should leave the hall, or otherwise obstruct proceedings, a remedy is afforded; the “contempt” is aggravated.

If the member denies that the words read are as used by him, the Assembly decides whether or not they were his words and “perfects” the record to show the facts.

Or, the Assembly may accept the disclaimer, in the way of an apology, and avoid a vote on the words taken down; in which case the Chair in the absence of further motion, should say:

“The gentleman will proceed, unless objection is made!”

[This course is frequently followed in legislative assemblies, where the words used, though quite offensive, are used in the heat of debate, and without really intending offense; and a denial of the use of words, known to members to have been used, is sometimes not questioned, but accepted as an apology.]

LESSON XIX.

Parliamentary Inquiries Occupy a Peculiar Position. They are in the Nature of Privileged Questions, and the Chair always answers them unless they anticipate the decision of a point of order.—THOS. B. REED.

INQUIRIES AND EXPLANATIONS.

Mr. CUSHING, probably the best known of parliamentary writers, gives four exceptions to the rule that no one is to speak, unless a question is pending, or is about to be introduced by himself, viz.:

1. Cases in which the rules are expressly suspended in favor of a particular member.
2. Question to and answers by officials connected with the administration.
3. Questions to and answers of particular members concerning business of which they have charge.
4. Questions to the chairman concerning the proper course and order of business.

While, in some respects, in the nature of "questions of privileges," these exceptions—which deserve more than a passing notice—are in no way privileged; but, under certain circumstances, the subject matter might be. Especially is this so with the first class, which, while not privileged by rule, are, in many Assemblies, made so by custom.

The distinction is that, when not treated as privileged, the cases can only be presented by leave of the As-

sembly; while the custom is to avoid such leave, by tacit consent, as will be seen.

PERSONAL EXPLANATIONS.

An example of the first class of exceptions is found, when a member conceives that his character and conduct are likely to be misunderstood, in consequence of statements made in newspapers or otherwise, (possibly in the ante-room, or on the public street) ; and deeming it of sufficient importance that he be set right with his fellow members, he asks leave to make a "personal explanation." If objection is made he moves that the rules be suspended to enable him to proceed; and, if authorized, makes his explanation.

He is not liable to be called to order for irrelevancy if he adheres to the subject which he undertakes to explain; but he is bound to abstain from personality. He is liable to be interrupted at any time by a member objecting to further proceeding; in which case he must obtain consent to continue.

ILLUSTRATION.

Member—"Mr. Chairman: I rise to a personal explanation!"

The Chair—"The gentleman will explain, unless objection is made." The Chair hears no objection, and the gentleman will proceed. [If objection is made, the Chair will generally "anticipate a motion," and say: "Objection is made. All in favor of suspending the rules to enable the gentleman to make a personal explanation, will say aye!" etc.]

The reason why a suspension of the rules is required is because a "personal explanation," is not a motion; ~~and the rules forbid discussion or explanation~~ when no motion is pending. "Asking leave to make an explanation" of any kind is a request that "the rules be suspended" for that purpose.

Another class of "Personal Explanations" arise in cases when no question is pending, and a member asks indulgence, which may be granted either tacitly or by express vote, on his own motion or that of another member, granting him leave to speak. Such leave being granted, (whether by a formal vote, or by tacit acquiescence on suggestion of the Chair or another member,) the member is entitled to proceed without interruption.

The indulgence is to be confined to cases in which the member has some complaint to make, or explanation to give, relative to himself; but it is not necessary that he intend to bring the matter before the Assembly in any other manner. When allowed to explain, he should not go into general arguments, or indulge in remarks which may lead to debate or provoke reply. He must confine himself to the explanation of his conduct or words; or to justify himself against the imputations of which he complains. Otherwise he may be interrupted.

[The distinction between "Personal Explanations" and "Questions of Privilege" will be more readily seen when the latter topic is reached.]

QUESTIONS TO OFFICIALS.

The second class of exceptions is not known in American legislative bodies—executive officers and heads of departments not being constantly in official attendance thereat. In Parliament, the questions are put to representatives of the administration, with a view to ascertaining its intentions or policy, and throw light on pending legislation and the wisdom of proposed proceedings.

The questions must be in dry, simple form, with only such brief explanation of the facts and circumstances out of which they arise as may be necessary to make them intelligible, and must be made through the Chair.

The officials may answer or not at their discretion; the answers to be confined to the questions, and all comment, which might lead to immediate debate, avoided. The answers are not to be commented upon by the members, unless in debating measures before the Assembly.

This class of "Questions and Answers" are mentioned here, because substantially the same system obtains in Lodges, when Grand Officers are officially present; except that the questions are to be asked through the Chair, and that they generally relate to "proper methods" instead of to pending legislation.

Incidentally, it may be stated, that on such occasions, it is not proper to ask questions, the answers

to which are in the nature of "decisions," or likely to be considered as such.

Lodge-Law, like other law, can only be "settled" when questions involving its construction are properly submitted—ordinarily on appeals from the action of the Lodge or its officers; and Grand Officers should decline to render decisions in an informal manner.

QUESTIONS RELATING TO BUSINESS.

The third class are questions to particular officers or members concerning business of which they have charge—or to the trustees, concerning rents, etc., or to committeemen relative to when reports will be submitted, and similar matters. The questions are to be asked through the Chair, but the officers or members are not bound to answer—the Assembly can alone require that.

ILLUSTRATION.

Member—"Mr. Chairman: I rise for information."

The Chair—"The gentleman will proceed."

Member—"Mr. Chairman: I desire to ask when the Committee on —— will be prepared to report?" [Or, "to report on ——," stating what.]

The Chair—"Can any member of the committee give the desired information?"

Chairman of Committee—"Mr. Chairman: The committee will report immediately after the noon recess." [Or, "The committee has not agreed on a report; we cannot answer the question," or other proper answer.]

Of course, if objection is made, "the gentleman" must obtain permission to ask for the information.

PARLIAMENTARY INQUIRIES.

In a strict sense the "questions" just considered are "Parliamentary Inquiries." As generally used, this term applies only to the fourth class—the questions addressed direct to the Chairman "concerning the proper course and order of business," or relative to matters concerning which it is the privilege of the Chairman to inform the Assembly, of his own motion, and his duty when properly called upon.

These questions are not those arising on "points of order," but may either suggest or prevent them. They include questions as to whether a certain proposition would be in order (not whether it is in order); the extent and meaning of a rule; whether certain usage of the Assembly is strictly in order, etc.

In cases of this kind it is competent for other members to express opinions, at the option of the Chair; and the Chair may ask the opinion of certain members before shaping and giving his own. Or, the Chair may decline to express an opinion, and submit the question direct to the Assembly. If, however, members should attempt to debate a mere hypothetical point of order they should be summarily stopped—on the ground that no question is before the Assembly.

The Chair is warranted in believing that a member will obey the rules, and may well presume that when a member is speaking, and no question is pending, he will

conclude with a motion or otherwise bring himself within the rule. Mr. MELVILLE says:

"A parliamentary inquiry should contain nothing more than a simple, unembellished query, and should be limited as far as possible to matters immediately before the Assembly. When addressed to the Chairman, it should have reference to matters upon which it is his duty to inform the assembly; but he must not sway the assembly with argument. The facts and circumstances, from which the question arises, may be explained, if necessary to make it intelligible; but such explanation should be brief, not at length, and so stated as not to lead to debate. The answer should be strictly confined to the points contained in the question, with only such explanation as will render it intelligible, and should be limited to points immediately applicable to the motion."

ILLUSTRATION.

Member—"Mr. Chairman: I rise to a parliamentary inquiry."

The Chair—"The gentleman will state his inquiry."

Member—"If this motion to amend is adopted and no other amendment offered, what will be the effect?"

The Chair—"The main motion, as so amended, must then be voted upon, unless other motions intervene."

Member—"Would a motion to reconsider then be in order?"

The Chair—"It would, on the amendment before the main motion was voted upon; or on the main motion afterwards, and if reconsideration was ordered thereon, another motion to reconsider would then reach the amendment."

LODGE ILLUSTRATION.

The committee having reported unfavorably on a candidate, the report being adopted, a member seeks to introduce a different subject.

Member—"Mr. Chairman: A parliamentary inquiry."

The Chair—"Please state it."

Member—"Do not the rules require a ballot to be taken on each application, regardless of the nature of the report? Can the pending motion to now considered?"

The Chair—"The member can ascertain that by making the proper point. The chair thinks so, but will not rule until the question is properly presented."

Member—"Then, Mr. Chairman, I make the point of order that the motion is out of order for the reason that no ballot was had on the application of ——."

The Chair—"The point is well taken. A ballot will now be taken on the application of ——," etc.

"When a member rises to make a personal explanation, and objection is made, he may call for a suspension of the rules. If so ordered, he will obtain a latitude even greater than under a "privilege," but must confine himself to such language as is to be tolerated in general debate."—COLFAX.

"In regard to the explanation of personal matters the house is usually indulgent; and will permit a statement of that character to be made without any question being before the house. But no debate should ensue thereon."—MAY.

"If, for any reason, the Chair allows the Assembly to wander from the rules, any member may cause the business to be transacted in order."—REED.

"A personal explanation is not a matter of privilege. It can be made only by leave of the Assembly, implied or expressed."—ROBERT.

LESSON XX.

No member is to Digress from the Matter, by Speaking, Reviling or Unmannerly Words. The consequences of a measure may be reprobated in strong terms; but, to arraign the motives of those who propose or advocate it, is a personality, and against order.—THOMAS JEFFERSON.

DISORDER AND DISCIPLINE.

In debate, as we have seen, a member may lose the floor, because of unseemly behavior, and no other proceedings be had, unless insisted upon. But, when offensive words are used, the Chair, or any member, may require that they be "taken down" at the clerk's desk, as previously stated.

Ordinarily, this is the first step toward disciplining an offender; and it is one which must be taken or the offender cannot be disciplined. Not to take it is to condone the offence, and it is not to be again referred to.

It is the duty of the Chair to see that disorderly conduct is stopped. He may quietly send a message of warning to the offender, or openly "call him to order." If the disorderly conduct is continued, he may, as we have seen, "name the member," by calling his name and stating that he has been guilty of certain acts, which are to be specifically mentioned.

EXPLANATIONS AND APOLOGIES.

It generally happens, when attention is called to specific words or acts, either by the Chair or by another member, that the offending member makes such rétraction or explanation as will enable the Assembly (by silent assent or otherwise) to excuse him.

In such a case, the member, having taken his seat, rises at once and says: "Mr. Chairman: I desire to explain!" He is permitted to do so, because it may obviate the necessity for further discipline. After the explanation the member may,—by permission of the Chair, if no objection is made, or by formal motion,—be "allowed to proceed."

If, however, objection is made, the chair puts the question "Shall the gentleman be allowed to proceed in order?" and if so ordered, he may proceed; but, if not allowed to proceed the Chair asks, "Shall the words stand as taken down by the clerk?" and until the words are agreed upon no debate is in order.

If the question is lost—as it often is, regardless of the facts—"the incident is closed," and the member may proceed, unless objection is made; and, if made, he may proceed on motion.

DETERMINING THE QUESTION.

When the words are adjudged to be correctly taken down, the member may again have a chance to justify, excuse or apologize. If he does so, he may pro-

ceed only by formal motion and by unanimous vote; and if such consent is not given the Chair directs the offending member, and the member or members toward whom the offensive words were directed (if specifically so directed) to retire temporarily.

The rule is that no one should be present when a matter "strictly personal" (in an offensive sense) to himself is under consideration. But, the rule does not relate to the objector, unless he was a member attacked. Nor are they deemed to relate to individual members if the offensive words were applied in general terms to the Assembly as a whole, and not to certain individual members.

The personally interested member or members having retired, the Assembly (in executive session,—that is, in secret session—considers the matter and determines whether or not the charge is sustained; or whether the words or acts constituted an offense.) If sustained the penalty to be imposed is also determined upon.

The penalty may be by simple reprimand, or on the record only; by actual reprimand by the Chair; by suspension for a time stated; by indefinite suspension; or by expulsion. Usually the penalty is by reprimand simple or by the Chair, unless the offense is gross.

If, instead of disorderly words, disorderly acts are complained of, the words to be taken down are such as

properly describe the alleged acts, whereupon substantially similar proceedings are had.

DISMISSING PROCEEDINGS.

In any event, a motion "to proceed with the measure under consideration," may be interposed at any time. The real object is to dismiss proceedings on the point of order; the motion to "proceed" being of a highly-privileged character. If adopted, "consideration" is proceeded with, and "the incident is closed," but the offending member loses the floor. It is too late to "take down the words," or to "take down the act," if any "business" intervenes after the alleged disorder.

The Jeffersonian rule provided that the objectionable words should be taken down after the member had finished his remarks and before any other member had spoken or business intervened, or not at all. "That which does not appear of record did not occur," is the rule in all parliamentary bodies; and if other business intervened, without the words being "taken down,"—that is, recorded—it is too late to record them, and therefore too late to discipline the member.

THE MODERN RULE.

The old-time rule to allow a member to finish his remarks, and to go unrebuked, even for a brief period, has been changed, in order to promptly suppress per-

sonal, indecent, blasphemous or other offensive remarks, or disorderly conduct. In the language of Mr. REED—

"The modern rule is that the words or acts be taken down at once, or as soon as may be after utterance. Thereupon action is at once to be had by the Assembly. Such action proposed, may be in the nature of punishment, in which case the member should withdraw. If the words are not deemed serious, or explanations are made, then the usual motion is that the member be allowed to proceed in order, in which case it is not customary for the members to retire. Of course, he does not participate in the action of the Assembly, or in its debate, except to make such explanations as the Assembly permits. Of course, also, there may be cases where it is obvious that the member should withdraw; and if he does not retire voluntarily the Assembly can direct him so to do."

In all Assemblies the same general principles obtain, although methods necessarily differ somewhat; but two rules must be observed:

First—The Assembly must protect itself from disorder, at the time of the disorder; and make a record of what is done; and—

Second—Failing to do so, the record, which fails to show that anything was done, thereby shows that no disorder existed; and such showing cannot be impeached.

It is sometimes claimed that the record may be corrected later, and formal charges based on the record as corrected. But, changing the record, so as to make it show that words were taken down which were not taken down, would not be in the line of correction, but of distortion.

APPLICABLE TO LODGES.

The foregoing applies (in the absence of a special rule to the contrary) to all offences committed in the Assembly and under the eyes of members. Even in Lodges, which have a code of trial-procedure, such offenses are not to be treated like those requiring preliminary investigation; nor should formal charges be made, or ordinary trial proceedings had, unless the law in express terms so requires.

Even then, it should be borne in mind that oral testimony is not permissible—as to occurrences within the Assembly itself—that, “unless the record shows the facts, there were no facts.”

In Lodges, however, the rule is so modified as to allow (not require) the trial proceedings to be postponed; but no conviction can be had for an offense committed within the Lodge unless the record is “perfected” at the time when the alleged offense is committed.

When an offense is “condoned,” by ignoring the same, or by informally dropping proceedings, and when objections are not sustained, or the matter is in anyway disposed of without the infliction of a penalty, all reference to the “incident” should be omitted from the record; which, being the “best evidence,” by failing to show the facts will show that no disorder occurred.

Incidentally, it is stated that in the national House of Representatives, the "explanation" generally ends the matter; but many cases of censure or expulsion have occurred. Growing out of one case the Supreme Court of the United States declared that—

"We see no reason to doubt that the punishment may be, in a proper case, imprisonment, and that it may be for refusal to obey some rule made for the preservation of order."

"When the conduct of a member is under consideration he is to withdraw during the debate. The practice is to let him learn the charge against him, and, having been heard in his place, for him to withdraw from the house. The precise time when he is to withdraw is determined by the nature of the charge."—PALGRAVE.

"No member should be present in the Assembly, when any matter relating to himself is under debate. It is not, however, necessary for the member objecting to the words to retire, unless he is personally involved in the case."
—ROBERT.

"Each member is the equal with every other member; hence the rights of one leave off where the rights of another begin, and there must be mutual forbearance."
—AINSWORTH.

"Disorderly words, spoken in a committee, must be written down, as in the Assembly; but the committee can only report them to the Assembly for animadversion."
—GEY.

LESSON XXI.

The General Rule is that When a Motion is Made, any motion standing above it in rank would be in order, and that any standing below it would not be.—URIAH SMITH.

CLASSIFICATION OF MOTIONS.

If the time and patience of members was unlimited, few, if any, additional motions would be absolutely necessary. It is evident, however, that (in the absence of other rules) large bodies would be at the mercy of members given to "long talks," since no limit could be placed upon debate. It has, therefore, been found necessary to supplement the fundamental law, by providing other motions and methods to facilitate the prompt transaction of business.

It is well to again note the fact that, in addition to the ordinary parliamentary law, nearly all deliberative bodies have special rules which change or modify the law—not the underlying law itself, but the circumstances under which is it to be applied.

In a general sense there are two classes of motions, the one class being Ordinary Motions, (including amendatory motions,) which bring up and perfect a measure, and the other class being Preference Motions which have preference over ordinary motions, even

though not always directly applicable to them—motions which expedite business or (by reason of supposed urgency) have the preference.

From the standpoint of classification there are five classes of motions, viz.:

- (1) Main Motions, whether Ordinary or Privileged.
 - (2) Subsidiary or Secondary Motions.
 - (3) Incidental Motions.
 - (4) Privileged Motions, including Questions of Privilege.
 - (5) Miscellaneous Motions, not otherwise classified.
-

An "Ordinary Main Motion," as we have seen, introduces a measure or proposition, and is subordinate to all other questions, under any and all circumstances.

It can be made only when no other question is pending, gives way to every other question, and is the last question to be voted upon; and, under certain circumstances, may be "reconsidered," or "voted upon a second time."

No motion can be introduced which (in terms, or by fair construction) reflects upon the proceedings of a co-operative Assembly; but official reports, resolutions and measures are "acts" not "proceedings."

SUBSIDIARY MOTIONS.

Subsidiary Motions—sometimes called secondary motions—relate to the main motion to which they are applied; and are intended to assist, directly or indirectly, in "perfecting" it, and in facilitating "action." They

are also used, at times, to dispose of the main motion, or motion and amendments, without direct adoption or rejection.

Until decided, subsidiary motions supercede the main motion, yet they are only in order when a main motion is before the Assembly. They have preference among themselves—that is crowd out one another—in the following order—the motion first named being of the highest rank:

1. To Lay on the Table.
2. The Previous Question.
3. To Postpone to a Day Certain.
4. To Commit or Re-Commit.
5. To Divide the Question.
6. To Amend an Amendment.
7. To Amend.
8. To Postpone Indefinitely.

Any subsidiary motion is in order when a main motion is pending; and, as a rule, when a subsidiary motion of lower rank is pending. While they supersede one another in the order stated, they seldom apply to one another. They yield to incidental motions, and to privileged ones, yet may apply to either, as will later appear.

GENERAL PROPOSITIONS.

The general rule is, that when a vote on any pending motion will determine if another motion will not

apply to the then pending motion; but any motion which "tends to perfect it," or "to better inform the Assembly," or "to more quickly dispose of the question," will apply to the then pending motion.

Hence, as will be seen, a motion "to postpone indefinitely" cannot be amended, or be "postponed to a day certain," because more direct than either.

The Chair should yield even well established rules when the Assembly evidently thinks it knows that other rules govern, in cases where no injustice is done and the will of the majority is clearly expressed; without trampling on the rights of the minority, however small.

It is at all times, however, the privilege of the Chair—and frequently a duty—to "suggest" the proper method of procedure; but not the proper action. Such suggestions are not rulings, since the Assembly is not bound by them; and not being rulings are not appealable.

The same rule applies to "parliamentary inquiries." But the Chair should not make a suggestion in anticipation of a point of order; in such a case he should wait until a ruling is called for.

Postponing, for the present, many details connected with subsidiary motions—(which will later be tak-

en up, in connection with other motions, and considered from the standpoint of "the desired end,")—their leading features will now be briefly considered.

INDEFINITE POSTPONEMENT.

It will be noticed that the motion to "Postpone Indefinitely," which formerly stood at the head of the list in order of rank, now stands at the foot. This is largely because of the introduction of "Objection to Consideration."

When a main motion is before the Assembly for consideration, (no "objection to consideration" having been entertained) a motion may be made that it be "indefinitely postponed." If adopted, it is in the nature of a rejection instead of postponement, since the purpose is not to postpone consideration, but to avoid it—to suppress the question itself, and not simply to delay action.

"Indefinite Postponement" does not now have precedence even over a simple amendment; neither can it supplant one. If amendments are pending they must be disposed of—it matters not how—before the motion to indefinitely postpone can be interposed. "Indefinite postponement" is a blow aimed direct at the main motion, when no amendments are pending; in which case it can be moved whenever a member can obtain the floor.

HOW INDEFINITE POSTPONEMENT IS USED.

The motion to "postpone indefinitely," or to "indefinitely postpone," is now frequently resorted to by the friends of a measure, when in absolute control, to enable them to discuss a main motion without amendments being in order. When the vote is reached, the friends of the measure vote "No," on the motion to "indefinitely postpone."

If the motion is lost, the main question becomes again subject to amendment; but its friends have had a chance to fully present it on its merits and may prevent amendments which otherwise might have been made.

While a motion to indefinitely postpone is pending, no amendment can be made to the measure to which it is applied. Its purpose being to destroy, it would be absurd to perfect the measure preliminary to its destruction. The motion can be moved only when no other motion intervenes; and a notice of intention to so move is out of order, although frequently given.

An affirmative vote on the motion is identical with a negative vote on the main question; it removes it from the Assembly, and it can only return on a motion to reconsider—and so with any other motion to which it is applied. On a tie-vote a main motion would be defeated; which would not be the case, if attempted through a motion to indefinitely postpone.

DEBATE RULE.

The motion to indefinitely postpone cannot be amended, because already in perfect form; but it is debatable whenever the question to which it is applied is debatable. In many Assemblies a special rule makes it undebatable, and it is quite commonly used to defeat debate; but the old-time rule has been wholly changed.

Theoretically, debate must be confined to the pending motion; practically, the main question may be discussed on a motion to indefinitely postpone. It is proper to fully understand the measure sought to be so disposed of.

In gatherings wherein the rule is not understood, if debate is objected to, the Chair should state the rule (that is, declare debate in order) and at the same time, suggest that, if debate is not desired, "the previous question," (which we have not yet reached) can be ordered.

It will be seen that the name of the "motion to postpone indefinitely" is a misnomer; that its purpose is not to postpone for an indefinite time, but for all time, by declining further consideration.

The motion is unknown in England; while here it has been so reduced in rank as to lose much of its former power to work injustice. In some legislatures, notably Massachusetts, the motion has no place whatever.

AMENDMENTS.

Amendatory Motions have already been considered at length and need only a passing notice now. They are generally debatable and may be applied to all motions—ordinary or privileged—not already in perfect form; as well as to most incidental, subsidiary and miscellaneous motions.

Amendments apply to motions to “commit,” “re-commit,” or “postpone to a day certain,” because those motions may be improved. The committee proposed, or the time suggested, may not be satisfactory.

Amendments will not apply to motions to “divide,” to “substitute,” to “indefinitely postpone,” or to the “previous question,” to “lay on the table,” or to any motions, the form of which is already deemed perfect.

In the House of Representatives, when a motion to strike out is lost, it does not preclude the amendment of the words proposed to be stricken out. This is contrary to the general rule, and Mr. REED says that, “under that rule it is as if no such motion had been made.”

“Substitute motions,” as we have seen, are in the nature of amendments, in that they aim to perfect the main motion.

“The motion to indefinitely postpone can be made only while the main question is pending; or, if it has been amended—and debate is being had—on the main question, as amended.”—PAYNE.

LESSON XXII.

Members Should Not Use Even Proper Parliamentary Motions to Create Discord, or unreasonably impede the action of the assembly.—THOMAS B. REED.

DIVIDING THE QUESTION.

Strictly speaking, a motion to divide a question is purely incidental, and not an amendment, yet in ordinary Assemblies it is generally treated as an amendment when no amendment, or only a primary amendment, is pending.

When mere paragraphs or short motions, are being considered, they can ordinarily be divided by amendments, but this form is often too complicated for the purpose desired. In such a case, or in any case where it is desirable to consider a measure by chapters, or sections, or other subdivisions, in consecutive order, the same may be reached by an independent motion to "divide the question."

Even in the absence of such a rule the motion would be in order, because the Assembly had an inherent right to take all steps necessary to perfect its measures understandingly.

TREATED AS AN AMENDMENT.

Col. ROBERT treats "division" as an amendment only, while Ex-Speaker REED goes to the other ex-

treme, and declares, not only that it is proper as an independent motion, but at times semi-privileged. All writers of note agree that whether an amendment or not, it must be "treated like one," a distinction which many fail to grasp.

It must be treated like an amendment because the general features of the amendatory motion to "strike out," to "insert" and to "strike out and insert" are to apply. When a question is divided, it means that the measure shall be considered in the order in which propositions are contained therein.

Mr. Reed gives the following illustration of the working of this motion:

ILLUSTRATION.

Member—"Mr. Chairman: I ask for the division of the question and move that it be divided into three parts, the first part to end with the word —— in the third line, and the second with the word —— in the sixth line."

The Chair—"The gentleman asks that the question be divided, and proposes the following division [reciting it]. If the division is made the assembly will first vote on the first proposition [stating it]; then on the second [stating it]; and then on the third" [stating it].

Member—"Mr. Chairman: I rise to a point of order."

The Chair—"The gentleman will state his point of order."

Member—"The point of order is that one of the parts, standing by itself, is not a substantive proposition. If the first were negatived, the rest would mean nothing, if passed."

The Chair—"The point of order is sustained, and the motion is overruled."

BRIEF NOTES.

Except in rare cases it is not subject to amendment; and then "suggestions" are a better way. Limited debate is sometimes permitted by the Chair, relative to the propriety of the proposed division; but even that must yield to an objection.

When a division is asked for and refused, the desired purpose may be arrived at by the use of the motion to "strike out and insert," or by the "substitute motion."

No division can be had between a paragraph and a proviso to it; since the proviso, standing alone, would be meaningless. Nor between a preamble and a resolution, for the same reason.

[The form of motion was given under "Amendment by Division."]

When adopted, each "division," in the order named, becomes a pending motion, and subject to amendment or other proper motion, including amendments to divide the then pending motion.

The motion to divide will apply to any measure which may be perfected or expedited by division; but it is seldom advisable to apply it to a motion to "strike out and insert."

It cannot be demanded as a right; nor take effect unless the majority so order.

It has preference over a primary or secondary amendment.

COMMITMENT.

A Motion to Refer a measure to a committee—or to “commit” or “re-commit” the same—ordinarily includes the whole subject matter; but may be made to apply only to certain features.

In any event, unless otherwise stated, if adopted, it carries with it the whole measure,—or the main motion and adhering motions; as well as such written suggestions as may be desired, and all proposed amendments on the Clerk’s desk, whether reached or not. The subject matter is thereby removed from the Assembly until a report is made, or the committee discharged from further consideration.

It sometimes happens, that a measure is so framed as to permit of one part being perfected while another is in the hands of a committee, in which event the strict rule does not obtain.

But, a final vote on the entire original measure, as amended, cannot be taken while anything connected therewith is in the hands of a committee.

A motion to refer is amendable in many ways; a different committee may be desired or a larger or smaller one; or instructions be given, or struck out, if proposed; or a time fixed for a report, or other germane amendments offered. Each, in turn, would be subject to amendment, etc.

Debate, however, should be limited to the question of reference and instructions, though often difficult to draw the line.

The motion to commit takes precedence of the main and amendatory motions and motions which are treated as amendments, and of "indefinite postponements," but it yields to all other questions.

It cannot be "definitely postponed," because it is more direct to vote on the question of reference than to postpone the question of reference; the motion to postpone would be dilatory and would tend to obstruct business—not to facilitate it.

It cannot be "indefinitely postponed," because the two motions are incompatible—the one contemplates action and the other declines it. But it may be made while a motion to "indefinitely postpone" is pending.

FORMS.

There are many forms in which the motion may be made, including the following:

"I move that the motion [or other description] be referred to the committee on ——."

If a motion has been referred and reported upon and it is desired to again refer it, the form used should be:

"I move that the motion [or other description] be re-committed."

Or (according to circumstances), the form may be "to a committee of ——, to be appointed by the chair" [or "selected by the assembly," or "consisting of ——"].

Or, that it be "referred to the proper committee," which the chair would afterwards designate.

The motion to commit, may include a time for report, in which case the words "with instructions to report back the same on——," etc., should be added.

An approved form of stating the question the question is:

"The assembly has heard the motion to refer. Shall the pending measure [or other description] be referred."

If adopted, and a motion to "indefinitely postpone" had been pending, the motion to indefinitely postpone would thereby be disposed of; and only the measure itself, and "adhering motions" committed.

When the main motion provides for a reference, as "that a committee be appointed to consider," etc., and not that the measure be "referred to," etc., it is not a "motion to commit," but an "ordinary main motion." [The subject of "Commitment" will be taken up at length, further on.]

DEFINITE POSTPONEMENT.

"Definite Postponement," or "Postponement to a Day Certain" is amendable and debatable. It applies to the main and amendatory motions (all intervening motions being ignored) and, as we will see, is also applicable to all debatable privileged questions, except the one fixing a time for re-assembling. It has precedence over all subsidiary motions heretofore considered, but yields to the "previous question" and to a motion to "lay on the table."

When adopted, the measure to which it was applied—together with all adhering motions—is, for the time, disposed of. If lost, the previous condition of things is at once restored.

The motion to "definitely postpone" is amendable, because another day or hour may be preferred. It is debatable only as to the advisability of postponement, and as to the time proposed; which debate may be checked, as in the case of other motions, by the use of the "previous question."

It supersedes the pending motion because it proposes to postpone its consideration, and therefore must be first decided.

The ordinary form of motion is:

"I move that the question [or further consideration of the question] be postponed until [or be made the special order at] — o'clock, on —."

Pending action on a motion to definitely postpone, it is not in order to discuss the subject matter.

A motion to reconsider may be postponed to a given time; and, until such time arrives, the subject matter is held in suspense.

The motion to definitely postpone, if lost, may be renewed after intervening business or debate. Conditions may have changed.

When the consideration of a motion is postponed to another session, it comes up again as "unfinished business." If postponed to an adjourned session, the time to which to adjourn should first be fixed.

WHEN NOT IN ORDER.

The motion cannot be made when a motion to "lay on the table" is pending, because that is of higher rank.

Nor can it be laid on the table, because the two motions are incompatible—one contemplates action and the other inaction.

Nor can it be itself postponed or committed, for reasons given relative to the motion to commit.

A motion to postpone to a day beyond the present session and prior to another session—the facts being known—is not in order. It is “indefinite postponement” in a disguised form; and a motion to “indefinitely postpone” to “a day certain” is an absurdity. “Indefinite postponement,” is more direct; and should be voted down, if future consideration is desired.

“None who speak directly against a measure are to be of the committee, for he that would totally destroy will not amend it. The child is not to be put to a nurse that cares not for it. No man is to be employed in any matter who has declared himself against it.”—JEFFERSON.

“The motion to commit can be made at once upon stating the question; or later, after discussion and efforts to amend have shown the need of more careful investigation than the Assembly itself can give it.”—REED.

“Although a question be complicated, no one member (unless there is a special rule allowing it) can insist upon its being divided.”—ROBERT.

LESSON XXIII.

By Far the Most Effective Method of Expediting Business. Whatever may be urged against "the Previous Question" as an instrument in the hands of the majority, it must be conceded to be efficacious in furthering business.—RUFUS WAPLES.

THE PREVIOUS QUESTION.

The motion for the "Previous Question," is so-called because it is put to vote previous to the motion or motions to which it applies; and when adopted compels an immediate vote upon the motions previously made and still pending.

The purpose of the motion being to stop debate, it cannot be amended or debated; and, for the same reason, it applies only to debatable motions.

If adopted, (or, in parliamentary language "ordered,") the Chair must at once take a vote on the motions, then adhering to the main motion, in their proper order; and unless disposed of, by reference or otherwise, the main motion is to be so voted upon when reached, unless otherwise specifically directed.

The motion, however, may be made to apply to one or more subsidiary motions only, commencing with the one then pending, but must be so worded as to show such intention.

While yielding to a motion to "lay on the table," and to privileged motions, it applies to all debatable motions—whether ordinary, subsidiary, incidental or privileged—because intended to suppress debate. For the same reason it does not apply to the motion to "lay on the table," nor to any other undebatable motion.

While no subsidiary motion will apply to a motion for the previous question, the latter yields to all incidental motions; as do all motions not incidental.

GENERAL FORMULA.

Member—"Mr. Chairman: I move the previous question."

Or, "I move the previous question on the motion to postpone" [or "commit."]

Or, "I move the previous question on the pending amendments," [or "on all save the main motion."]

Or, "I call for the previous question on the main motion," [which would include all intervening motions.]

The Chair (without waiting for a seconder—unless a special rule requires a certain number of seconds) at once puts the question: "The previous question is called for on the motion to —— [or, "the gentleman demands the previous question"]. As many as agree to the demand for [or "as are in favor of"] ordering the previous question will say Aye! [Pause.] As many as are opposed will say No!"

Another, and an acceptable but not common form of putting the question is: "The previous question is called for on [stating what.] Shall further debate be omitted and a vote taken at once? Those in favor of so closing debate will say Aye! Contrary, No!"

This form has the merit of being more readily understood by the inexperienced member.

Of course, whatever the form, it must be so varied as to correctly state the proposition.

The old form "Shall the main question be now put?" while still common, is misleading and is discountenanced by leading modern writers. As a matter of fact the "main question" is frequently the only one not included in the demand for the previous question. The new rule is upon "agreeing to the demand for the previous question."

If the motion is adopted, the Chair announces that "the previous question is ordered"; and (in compliance with such order), at once puts the various motions in their proper order.

If the motion for the previous question is lost, matters remain as before the previous question was moved.

HOW APPLIED.

The previous question, when ordered, does not cut off any motions which have already been made—as to postpone, to commit, or amend—but prevents others and forces an immediate vote upon those already made. A motion "to divide," however, is in order after the previous question has been ordered.

The previous question may be moved—as may any other motion proper to be made—by any member, even though he has exhausted his right to debate. And even after it is ordered, the member offering the main motion (if reached by the previous question) is generally allowed the floor, "by courtesy," for brief re-

marks. It is not in order, however, to put any question to the mover, after the previous question is moved; questions and answers are debate.

When an appeal is pending the previous question may be moved thereon; and when the previous question has been ordered, if a recess or adjournment is had before it is executed, it is the first thing in order after recess, or, under the head of "unfinished business," at the next meeting. If there be no such heading, then it is the first thing to be considered, after the reading of the minutes.

When the previous question is applied to indefinite postponement only, and the latter motion is lost, the main motion, of course, becomes again debatable; but, in turn, it may have the previous question applied to it.

MAJORITY VOTE SUFFICIENT.

Some writers, Col. ROBERT among them, place "the previous question" among the motions requiring a "two-thirds vote," but a majority vote is sufficient; the necessities of the case require that a majority be able to act promptly. Mr. REED, in speaking of the two-thirds rule, as applied to the previous question, says that, in some Assemblies, wherein time is practically unlimited and extended debate desired—

"Such a rule would do no harm, although probably unnecessary; while in other Assemblies, where party feeling exists, such a requirement would defeat its purposes."

In the absence of a special rule, a majority only is required to "second the call," and thereby "order the previous question," and such "majority" is frequently made up of members who are for and against the measure, but prepared to vote upon it.

Nor can a roll-call be had on a call for the previous question. The motions are in conflict; a roll-call would consume the time which the previous question is designed to save.

Incidental "questions of order," arising after a motion for the previous question, are to be promptly decided, by the Chair, without debate—whether the previous question is ordered on an appeal, or otherwise. The operation of the previous question on a motion to reconsider will be explained when "reconsideration" is discussed at length.

HOW IT WORKS.

By way of illustrating the working of the previous question the following is presented:

Suppose a main motion and two amendments to be pending. The previous question, if ordered, would apply first to the secondary amendment, then to the primary amendment and then to the main motion; but, if so specified, might apply only

to the secondary, or to the secondary and primary, and thus speedily pave the way for other amendments—or for a motion to “indefinitely postpone,” if desired.

If a motion to commit was also pending, the previous question would require a vote on that motion; and then on the others. Or, it might be so worded as to apply only to the motion to commit; or to that motion and one or both of the amendments.

Or, a motion to “postpone to a day certain,” might also be pending, in which case the vote would be first on that motion, followed by the others in their order. Or, if specified, on the postponement, or on the motions to postpone and commit, or on both those motions and one or both of the amendments.

Suppose all these motions to be pending: If postponement carried, the question would be exhausted—no other motion would be put, the measure being disposed of. If lost, and commitment carried, the same rule; but if the motion to commit was lost, the question would be next on the secondary amendment, then on the primary amendment, and finally on the main motion, which would be disposed of without other amendments being proposed.

But, if the previous question was limited to one or more motions, it would be exhausted when the limit was reached—and the then next motion would become the pending motion. So that, if applied to all except the main motion—and not exhausted before reaching it—when reached, the question would be on the main motion, which would again be open for amendment and debate.

Ex-Speaker REED—generally an excellent authority—says:

“The previous question is of equal rank with the motion to postpone to a day certain, to postpone indefinitely, and to

commit," and that it cannot be moved while either of the others are pending."

This is not only not the law in the House of Representatives, but it is not the law anywhere at the present day, except as to indefinite postponement. It is the old-time Jeffersonian rule, which is now obsolete, save as partly revived by special rule. Mr. REED redeems himself, however, by admitting that "the previous question should follow the motion to lay on the table," and "precede all the rest" of the subsidiary motions; and that it should also "be made applicable to all debatable questions." The law, in ordinary Assemblies, is exactly as he says it should be, and has been for one-third of a century.

In the United States Senate the previous question is unknown, and debate is unlimited; and even in the House of Representatives it is seldom used—debate, when limited, being limited by special rules made applicable to special measures.

In no Legislature in the United States is there a rule requiring more than a majority to order "closure"—that is, to "order the previous question"; but, in several, it is provided that a number far less than a quorum can demand it. Nowhere can authority be found for the claim that a two-thirds vote is required.

In the English Commons, the previous question—which was originated to "avoid a direct vote concerning delicate matters which involved high personages"—is used to suppress the motion or any expression thereon, and not to curtail debate or for the purpose of closure. There, it is moved by the opponents of the motion—"artful dodgers" who desire a nega-

tive decision—who vote “No!” when the question [“Shall the main question be now put?”] is voted upon; and the question is thrown out without a vote being had on its merits.

The English “closure-rule,” as it is called, is not unlike our “previous question.” The total membership of the House of Commons is nearly seven hundred; and to order “closure” requires a vote of “a majority of those present,” such vote to be “not less than one hundred,” which indicates a large percentage of absentees. It is interesting to note that the “closure rule” originated in the union of Liberals and Conservatives to suppress the Irish orators.

In France, a majority of the members of the Chamber of Deputies constitute a quorum, and a majority of a quorum can order “closure.”

“Although the previous question is ordered, if any matter of privilege arises, (either growing out of the question itself, or from any quarrel between members,) it will at once supersede the original question, and must first be disposed of.”—WILSON.

“In small assemblies there is not much use for the previous question. The prejudice being strong against shutting off debate, it should only be ordered after the question has been completely discussed.”—AINSWORTH.

“They postpone the preamble till the other parts are gone through with. Such alterations may therein be made as may also occasion the alteration of the preamble.”
—JEFFERSON.

OBJECTION TO CONSIDERATION.

The motion known as "Objection to Consideration" was also taken up out of its parliamentary order, in Lesson 2. The subject will be incidentally considered in connection with other questions later on.

It may, however, be stated that "Objection to Consideration" may apply not only to a main motion, but to any amendment which, as an independent motion, would warrant it.

Authorities differ radically as to this motion, some claiming that, although much needed (now that "indefinite postponement" has lost its terrors) it is only warranted by a special rule. Most writers (especially the really modern ones) uphold it on general principles, as being one suggested by the proprieties of debate to protect the Assembly from imposition, and as a rule which has become fully established, because for many years in general use in deliberative bodies.

Nearly all agree that a two-thirds vote is proper because it is "an unusual proceeding;" and because, if a motion is really offensive, that number would so declare—and for the further reason that it would otherwise place a too powerful weapon in the hands of a mere partizan majority.

MR. REED, however, true to his "majority rule" doctrine, insists that, in the absence of any rule, "a majority may rule out anything." [This branch of the topic will be considered again in connection with the "Two-Thirds Rule."]

But if a proposed amendment to the minutes is laid on the table the minutes remain; because the minutes are always before the Assembly.

The motion is not debatable, because it is intended to prevent debate; and is not amendable because already in perfected form. Free debate of every motion proposed to be suppressed is a principle of parliamentary law; but, in theory, a motion "to lay on the table" does not suppress debate, but postpones it.

A POWERFUL WEAPON.

In the absence of a special rule, a bare majority can, by the use of this motion, summarily dispose of all motions until it sees fit to take them up for consideration. It is more powerful than "objection to consideration" because it can be interposed at any time, and by a majority instead of a two-thirds vote.

When the motion is made, all debate must cease, but it cannot be made when another member has the floor.

While the highest in rank of all subsidiary motions the motion to lay on the table yields to any privileged or incidental question. It is not applicable to other subsidiary motions (except amendments to the main motion), and, if adopted absolutely disposes of them.

While it will not apply to the previous question direct, it will apply to the main motion while the previous question is pending; because, by disposing of the main motion, the determination of the Assembly is shown. The same rule applies to other subsidiary motions.

The motion to lay on the table is in order as long as the subject matter is before the Assembly—even up to the taking of the last vote.

ILLUSTRATION.

The previous question having been ordered, and not executed, the motion to lay on the table may be interposed at any time, and if all motions have been voted upon except the main motion, the main motion may be laid on the table.

While the "ordering of the previous question" declared that no other motion should be entertained, yet a "privileged question" is in order; and the motion "to lay on the table," because of its high rank, would be in order, also.

The majority may not be prepared to vote on the main question, as it stands, and not being ready to perfect it, may postpone the perfecting process to a more convenient season.

Regardless of the form used, if intelligently worded (or, if so stated by the Chair), the effect of the motion is the same. The proper forms are:

"I move to lay the main question on the table."

Or, "I move to table the pending measure."

Or, "I move that the subject matter be laid on the table."

CONDITIONAL TABLING.

A motion to "Lay on the Table Until a Certain Time," is not a proper one, because it is virtually a motion to "postpone to a day certain." But the Chair should entertain the motion and re-word it according to the evident intention of the mover, under the rule that when a motion is in order, but not properly worded, the Chair should make the correction, without calling special attention to the mistake.

A motion to "Lay on the Table Subject to Call," would be in order. If adopted, any member could "call it up," at any time when he could obtain the floor to make a main motion. It is, in fact, what another motion is only in name, "indefinite" postponement. It requires no vote to bring it up again; as it would if simply "laid on the table."

A motion to "Lay the Whole Subject on the Table," is improperly framed, but should be properly worded by the Chair. The "subject-matter," but not the "subject" itself, may be laid on the table—the subject might be "taxation," for instance.

Nor can the motion itself be laid on the table, for reasons already stated, and, unlike other motions, it cannot be reconsidered, it being more direct to "take from the table."

Of course, an appeal may be laid on the table, and this is the course generally taken in legislative bodies when it is proposed to sustain the Chair and yet dodge

the issue. Appeals being independent motions, the decision appealed from does not go to the table also; hence, the decision stands, because it has not been reversed. MR. CROCKER, a recognized authority, holds differently, but he stands practically alone.

The same rule applies to a motion to reconsider, when laid on the table. It takes nothing with it, and the effect is as though the motion to reconsider had not been made.

The motion "to lay on the table" cannot be applied to a motion to "indefinitely postpone"; because the latter proposes to suppress a measure, not to delay consideration, and is more direct. But the previous question can be so applied; and if "indefinite postponement" is lost, the main motion may then be laid on the table.

While the motion is not debatable, the mover frequently succeeds in explaining his reason before making the motion; although no opportunity is given for a reply by the mover of the motion proposed to be laid on the table.

When a motion to lay on the table is lost, it may be renewed after action on any other motion, or after any other member has spoken, or other motion stated; either makes a new condition—and this rule applies to nearly all motions.

INCIDENTAL MOTIONS.

Incidental Motions, as the term indicates, are mere incidents growing out of questions connected with the perfecting process. They do not shape the main motion, and, being designed only to expedite action, must not be allowed to delay the measure under consideration. Being already in perfect form they are not amendable; and, because of their purpose, they are not debatable.

Incidental motions have no precedence, as among themselves, and yield only to privileged questions. Being in order only when incidents arise to call for them, they have precedence over the questions out of which they grow; and, when pending, may have subsidiary motions applied to them. The list of incidental motions comprises:

1. Question of Order and Appeals Therefrom.
 2. Objections to Consideration of a Question.
 3. The Reading of Papers.
 4. Withdrawal of Motion.
 5. Suspension of the Rules.
-

"Questions of Order" and "Appeals" have already been considered at length, out of their usual order, in Lessons 17 and 18. Aside from the statement that they belong to the class known as "Incidental Motions" nothing need be added here.

OBJECTION TO CONSIDERATION.

The motion known as "Objection to Consideration" was also taken up out of its parliamentary order, in Lesson 2. The subject will be incidentally considered in connection with other questions later on.

It may, however, be stated that "Objection to Consideration" may apply not only to a main motion, but to any amendment which, as an independent motion, would warrant it.

Authorities differ radically as to this motion, some claiming that, although much needed (now that "indefinite postponement" has lost its terrors) it is only warranted by a special rule. Most writers (especially the really modern ones) uphold it on general principles, as being one suggested by the proprieties of debate to protect the Assembly from imposition, and as a rule which has become fully established, because for many years in general use in deliberative bodies.

Nearly all agree that a two-thirds vote is proper because it is "an unusual proceeding;" and because, if a motion is really offensive, that number would so declare—and for the further reason that it would otherwise place a too powerful weapon in the hands of a mere partizan majority.

MR. REED, however, true to his "majority rule" doctrine, insists that, in the absence of any rule, "a majority may rule out anything." [This branch of the topic will be considered again in connection with the "Two-Thirds Rule."]

It must be borne in mind that the "question of consideration" can only be applied to a motion before debate, and before any subsidiary motion is offered; that it should seldom be applied unless the motion has features which should bar it from consideration, because irrelevant or improper; and that it may easily be abused by wasting time in constantly calling for it.

When a waste of time is the evident purpose—the motion not being, in itself, objectionable—the Chair should treat the objection as a "dilatory motion."

Substantially the same end can be arrived at by allowing the main motion to be stated and then laying it on the table; which method, however, (although requiring only a majority vote) will not keep it off the records.

"The motion to Lay on the Table cannot be applied to more than the question then before the meeting, and whatever necessarily adheres to it. Thus, it is improper to lay on the table 'Reports of Committees,' or 'Unfinished Business,' when they are reached in the order of business. The object sought can only be obtained by 'suspending the rules,' which requires a two-thirds vote."
—ROBERT.

"It is for the best interests of the Assembly that it have the power to instantly lay aside any business to attend to something more urgent."—BLAINE.

LESSON XXV.

A Member Has Not a Right to Read Even His Own Speech, committed to writing, without leave. This is intended to prevent an abuse of time; it is not refused where such abuse is not intended.—THOMAS JEFFERSON.

READING OF PAPERS.

"Papers," as they are technically called, are of two kinds; the one are "papers under consideration," and the other "papers not under consideration," but supposed to throw light on the pending measure.

When a measure is presented to an Assembly, it must be read, as we have seen, at the Clerk's desk, before being acted upon. This is not a mere courtesy, but a right; the members should fully understand that upon which they are to be called to pass judgment.

After a paper has been read, and at any time during the debate, the whole, or any part of it, may again be read, if any member desires it; as may any other paper which he may bring to the attention of the Assembly.

The member desiring such reading "calls" for it; that is, makes a "call-motion," and designates what he desires read, in more or less specific terms. Like other "call-motions," it is not subject to amendment or debate; save by way of "suggestions" that only a part, or certain parts, be read.

Ordinarily, the Chair directs the reading, "unless objection is made;" but, if there be one objection, a formal vote must be had.

ILLUSTRATION.

Member—"Mr. Chairman: I call [or ask] for the reading of ———," [designating it.]

The Chair—"The Clerk will read the paper called for." [The Clerk reads it. If no objection is offered before the reading commences, it must go on, unless it develops not to be germane or otherwise objectionable.]

If the Chair is at all in doubt as to allowing the reading—as where it has already been read, or is quite lengthy, or apparently intended to delay—he will add, "unless objection is made." But, a member may object, in any event; although this is seldom done.

The foregoing applies more especially to the paper under consideration, or to one directly in line therewith, as the report of a committee on a kindred matter, or a court decision on the question at issue. But, substantially the same proceedings are had, when the reading of more or less remote papers are called for, the lines being drawn somewhat closer.

A like rule obtains when a member wishes to read a paper, or have it read. It is not a matter of right, but of courtesy, even when "under the color of making a speech." It is, however, seldom denied, unless an apparent abuse of time is manifest; rigor should not be exercised where there is no intentional abuse.

While it is competent for a member to require certain motions or documents to be read, the rule making it so may be suspended, and thereby deprive him of the privilege. Where a rule requires a paper to be read, the only alternative is to suspend the rule.

It is often desirable, to read a paper more than once; but the rule is that it must have a direct bearing on the pending measure.

In Congress, great latitude is allowed—both in the reading of papers and the reading of speeches; and entire books have been read, or incorporated in speeches, to the end that they become “public documents” and entitled to be “franked” by members.

Among the works which have been so read are GEORGE’S “Progress and Poverty,” and RAYMOND’S “Political Economy”;—while many hundred “stump speeches,” supposed to have been delivered, but which have not even been read, are incorporated in the Congressional Record, and printed in immense quantities for “home consumption.”

Under no circumstances, can a paper, which reflects on the proceedings of the Assembly itself be read, even for purpose of reproof; but quotations from former minutes are not to be deemed “reflections.”

A paper may be laid on the table before its reading is finished; but such action has no effect on the pending motion.

WITHDRAWAL OF MOTION.

The motion for Leave to Withdraw a Motion, after it has passed from the control of the mover—"Mr. Chairman, I ask leave to withdraw the motion,"—is generally accorded by "silent assent;" but, if objection is made, a majority must consent. It is incidental only when a main motion is pending; when no other motion is pending, it is an ordinary motion. When incidental, it is undebatable; when an ordinary motion it may be debated to a limited extent.

While it is not necessary to procure the leave of the seconder to withdraw a motion, if such leave is requested and refused, the motion can only be withdrawn by vote. It is quite customary to ask such leave; but, at times, it is dangerous to be over-courteous.

When applied to the main motion, it carries with it all adhering motions; but when applied to an amendment, or other adhering motion, the main motion is not affected. In either case, it is not debatable; but "explanations" may be allowed.

GENERAL FORMULA.

Member—"Mr. Chairman: I ask leave to withdraw the motion," [describing it, when necessary.]

The Chair—"The motion will be withdrawn, unless objection is made. [Pause.] So ordered."

When a motion is withdrawn the effect is as though it had never been made; and no record should be made. Hence another member may renew the motion—but, not if it was withdrawn without objection; if proper to remain it was improper to allow it to be withdrawn.

SUSPENDING THE RULES.

The motion "to suspend the rules" is generally made, if at all, by the author of a measure, with a view to having it acted upon at once. In effect, it makes a special order, forthwith; by suspending all rules, that might otherwise impede prompt action on the measure, including the right to perfect it.

"Suspension of the Rules" being "Unusual"—that is, out of the usual order—requires a two-thirds vote, in ordinary prompt-acting assemblies; and, in most Legislatures, an unanimous vote. Many writers insist that it requires "unanimous consent" everywhere; but general practice, and the consensus of opinion, decrees otherwise.

Col. ROBERT holds, however, that while a "two-thirds vote" is ordinarily sufficient, an unanimous vote is required to suspend any rule which "gives any right to a minority as small as one-third"—as where a rule requires a roll-call on demand of one-fifth; in which contention he is sustained by most modern writers of note.

It must be remembered, that rules based on a constitutional requirement, or fixed by statute, cannot be suspended, even by unanimous consent. An Assembly can not suspend or abrogate a rule which it is powerless to repeal. But, an Assembly, if so disposed, may take any course contrary to its own rules, when no injustice is done thereby. _____

When the rules are suspended to allow a certain motion to be submitted—out of its proper order—such motion cannot afterwards be modified by the mover; but it may be amended, and adopted or rejected, by the Assembly. A special rule, for a specific purpose, must be specifically enforced. _____

The motion to suspend the rules cannot be amended, or debated; nor can it be renewed on the same day. If no particular rule is named, all rules which interfere with the purpose sought are to be deemed included in the motion; which authorizes not only the reception, but the disposal of the measure. _____

While the motion may be an incidental or an ordinary motion—depending upon when it is made—it is always to be treated as “incidental,” and not allowed to delay other matters. _____

The form, the motion to suspend the rules varies, according to its object. The general form is:

“I move that the rules be suspended and that [describing the motion] be taken up and put upon its passage,” [or “be now considered,” or “voted upon.”]

Or, "I move the suspension of the rule limiting the time of members in debate."

Or, "I move to suspend the rules which interfere with _____; and that it be now considered."

If a motion to suspend the rules is adopted, the question at once recurs on the main motion, and adhering motions, if any. If lost, or withdrawn, the motion to suspend the rules, for the same purpose, cannot be renewed on the same day.

Suspending the rules must not be confounded with "amending the rules," which, in the absence of a special rule, may be done by ordinary main motion, of which previous notice must be given. While the majority may "control action," the minority are "entitled to notice" of any proposed radical action.

A motion to suspend the rules, in order that a member may be heard in his defense, cannot be entertained after the previous question has been ordered in connection with the same subject matter; the effect of the previous question being the suspension of certain other rules. But the member may be "allowed to explain," notwithstanding the previous question has been ordered.

"A motion for withdrawal cannot be made while another member has the floor. It cannot be amended, or debated, or reconsidered; but, may be renewed."—HATFORD.

LESSON XXVI.

None but Privileged Questions can be Brought Forward while another question is before the Assembly.—
THOS. JEFFERSON.

PRIVILEGED QUESTIONS.

“Privileged Motions” are so called, because of special urgency or importance. In a general sense, they have the “right-of-way” at all times; and may temporarily “side-track” any and all other motions.

It is their “privilege” to interrupt the consideration of any ordinary question that may be pending; and, sometimes, to interrupt a member on the floor—and even the Chair, while stating a question.

Privileged motions (with rare exceptions), are such only when they temporarily interrupt the ordinary course of business; and not when they terminate proceedings. They cannot be entertained, when the effect would be to quit business abruptly; as “to adjourn,” when another meeting has not been provided for, the business of the Assembly being unfinished.

A member, rising to introduce a privileged motion, may briefly state his purpose in demanding the floor. It must be remembered that not only motions, classified as “privileged,” are such; but that any motion which has a prior right to the pending motion (including questions of order and other call-motions) are, in a sense, privileged.

The appointment of a committee, when the same has been ordered, is a privileged question, as is the filling of vacancy therein; but, while all privileged motions may interrupt proceedings, only when necessity demands it, will they take a member "off his feet."

After being stated, privileged motions are subject to all motions which would apply, if they were ordinary main motions. They must, however, be promptly disposed of, and are only debatable when the necessities of the occasion so require.

To a limited extent, some of the other questions are privileged, though not so classed. Those classed as "privileged" (in the order of precedence) are:

1. Emergency Motions.
 2. Fixing Time to Which to Adjourn, When Not Fixed.
 3. To Adjourn to a Time Certain.
 4. To Adjourn, When Time is Fixed.
 5. To Take Recess.
 6. Questions of Privilege, Relating to the Assembly.
 7. Questions of Privilege, Relating to Members.
 8. Privileged Main Motions, or Orders of the Day.
-

Each of the foregoing motions is, at all times, subject to the interposition of incidental motions, when applicable. It will be seen that it is possible to have an almost unlimited number of motions to dispose of before reaching the ordinary main motion, and even then an amendment might be presented which would "double the dose."

Hence the importance of majority-rule (and at times even arbitrary rule) in Assemblies wherein "Senatorial deliberation" is not feasible.

"Objection to Consideration" cannot be applied to a privileged motion unless grossly offensive, because the motion is privileged only because it claims to raise an important matter, which demands "immediate consideration." If a member abuses his privilege, he may be dealt with according to the gravity of his offense.

Privileged questions, generally speaking, must give way to a "special order;" and either must temporarily yield to a question of privilege.

ORDERS OF THE DAY.

The lowest in rank of privileged questions, are what are known in legislative bodies as the "Orders of the Day." This term covers a list of all bills, resolutions and reports which have not been made "special orders," or otherwise disposed of. When reached, they are taken up in consecutive order, unless the Assembly determine otherwise.

In Lodges, etc., the "unfinished business" of preceding meetings correspond, to some extent, with "orders of the day," and should be disposed of substantially in the same manner. The different items

are privileged to be called up; and, when called up, at once lose their privilege, and are simply ordinary motions, and entitled to precedence only as the Assembly shall direct.

When "orders of the day" or "unfinished business" is reached, the various matters may or may not be considered; if not considered they remain unfinished business. There is, therefore, no limit to the number of times a measure may be before an Assembly—before it is disposed of.

In the absence of a special rule, "unfinished business" is to be taken up immediately after the reading of the minutes; commencing, however, with the business which was pending at the time of adjournment. The other motions must have been in some way (at least temporarily) disposed of, if only by the common motion that "the motion be laid over," or "laid over until the next meeting."

SPECIAL ORDERS.

When, as sometimes happens, two "special orders" are fixed for one hour, "first fixed—first in order," is the rule, and the other is temporarily crowded out. On the other hand, if one which was fixed for one o'clock is not disposed of when another, which was fixed for two o'clock, is reached, the former is crowded out unless a new "order" is made. But not if debate

has closed; nor if a vote is pending—and adhering motions, if not debatable, are also to be disposed of, because a few moments then may save hours later.

While not required to do so, an Assembly will generally promptly determine a “special order” on its merits, when it can conveniently be done, without unnecessary delay, but the “special order,” when reached, may again be postponed, and, perhaps suppressed.

ILLUSTRATION.

When the time set for the consideration of a measure arrives, any member interested therein, may “call it up”—that is, call the attention of the Chair thereto; and such call is in order, even when a member has the floor. The Chair must at once suspend proceedings on other measures (to be resumed when the special order is disposed of), and announce the privileged main motion and adhering motions, if any, then entitled to consideration, and at once state the pending motion.

LEGISLATIVE VS. LODGE RULE.

In Legislatures, when “orders of the day” are reached, the Assembly determines whether or not to consider them; and if they are to be considered, takes them up in their order. When a specific time is designated for “general orders,” the subject under consideration (when such time arrives) is temporarily laid aside until “orders” are disposed of, by consideration or otherwise.

•

In Lodges, no motion is necessary to consider "unfinished business," which is taken up when that "order" is reached. Then each item is presented in its order, and disposed of, or "laid over" again. Generally, all subsidiary motions made at previous meetings, are ignored; not, however, including amendatory motions.

"GENERAL" AND "SPECIAL"

A distinction must be made between "General Orders" and "Special Orders." The latter consist of one or more ordinary main motions, and adhering motions, which have been specifically "postponed to a day certain."

When an Assembly decides that a certain measure is to be a "special order" at a certain time, it becomes such when that time arrives; the special order does not even need a call-motion. It is specially privileged only as to time—at which time it is a "privileged main motion," but as soon as it is taken up it becomes an ordinary main motion and is treated as one.

"Special Orders" will be considered in detail later on.

"A special order must be called up when reached; otherwise the Assembly would ignore its own order."—BLAINE.

"Orders of the Day may be discharged at any time, and a new one made for a different day."—GREY.

•

LESSON XXVII.

Questions Concerning the Rights and Privileges of the Assembly, and of the individual members, supersede the question pending at the time, together with all subsidiary and incidental ones, and must be first disposed of.—LUTHER S. CUSHING.

QUESTIONS OF PRIVILEGE.

Incidentally, "Questions of Privilege" were briefly discussed in Lesson 19, but a distinction must be made between them and "Personal Explanations." The latter are not matters of privilege, by right; and can only be made, as there shown, by the express or implied consent of the Assembly.

A "Question of Privilege," is not a "Privileged Question," in the proper sense of the term; in that, it is not a motion at all. It is simply a method by which a member is privileged to call attention:

1. To any matter relating to himself, which affects his rights and privileges, as a member—the details relating to alleged misrepresentations relative to his conduct as such member; or to attempted bribery, or threatening letters, or personal violence, or anything affecting his reputation, conduct or safety by reason of his membership.

2. To any matter affecting the rights, safety, integrity, dignity or interests of the Assembly itself, such as the credentials of members, sanitary condition of hall, quarrels be-

tween members, obstruction to business by visitors, tampering with records, extinguishment of lights, or anything affecting the Assembly as a whole.

The first named class, or questions of privilege relating to a member, rank next above "Orders of the Day" and "Special Orders," and next below the second named class, or questions affecting the Assembly itself. In either case the following is the general form:

ILLUSTRATION.

Member—"Mr. Chairman: I rise to a question of privilege."

The Chair—"The member will state his question of privilege."

Member—"We cannot hear what is going on, because of the noise made by parties, who are occupying seats of absent members."

The Chair—"The Chair requests all who are not members to withdraw. Let them take seats in the galleries. The Sergeant-at-Arms will please attend to the matter."

* ANOTHER ILLUSTRATION.

Member—"Mr. Chairman: I rise to a question of personal privilege."

The Chair—"Please state the question."

Member—"In the Daily _____ of today, I am charged with bringing improper influence to bear on other members, to induce them to vote for _____. I wish to say that nothing of the kind has occurred; and I challenge investigation, in or out of the Assembly."

[Having "set himself right" with his constituents, "the incident is closed."]

When of pressing importance, the question may take another member from the floor; and, if the question of privilege be accompanied by a motion relative to the matter complained of, the motion becomes privileged. In such a case the motion should, ordinarily, be speedily disposed of, and, at times, summarily.

ILLUSTRATION.

Member (interrupting)—“Mr. Chairman: I beg the gentleman’s pardon; I rise to a question of privilege.”

The Chair—“What is the question?”

Member—“The Conference Committee on ——— are to meet promptly at five o’clock. It is now half past four. I move that the committeemen from this Assembly have leave to retire.”

The Chair—“Members of the committee will be excused, unless objection is made. The Chair hears none; so ordered.”

ANOTHER ILLUSTRATION.

Member (interrupting another)—“Mr. Chairman: I rise to a question of privilege. Pickpockets are on the floor of this convention. I have just lost my wallet, and desire to caution others. I move that all, not members, retire; and that the Sergeant-at-Arms arrest any suspicious characters he may find.”

The Chair—“Are there any objections? The Chair hears none. So ordered. The reporters will, of course, remain.”

A privileged motion, based on a question of privilege, may be amended, and is subject to limited debate, etc. When disposed of, the business interrupted by it is to be at once resumed, when practicable.

Among questions of privilege decided to be in order, not included in the foregoing, are votes of thanks to officers and others; to expel a reporter for false publication; to censure the owner of hall for neglect; and to present an "invitation to attend the races." The Assembly is necessarily the sole judge of its own privileges, and this includes the necessary power to enforce its decrees; the mode, however, must be such as to meet the approval of the courts.

PROCEEDINGS ON QUESTION OF PRIVILEGE.

MR. CROCKER makes the following summary of proceedings proper to be had, in connection with a question of privilege:

"If the rights of a member, or other members, are violated by the Chair, or by other member or members, or otherwise, he may interrupt proceedings, rise to a question of privilege and state wherein such rights are infringed upon. If he delays, it cuts off his rights.

"The question may be raised by one whose membership is disputed—whose equal rights as a member are curtailed by the Chair, or interfered with by the disorderly conduct of others—who is threatened with violence—or whose honor is assailed.

"A member may have good ground for raising a question of privilege, if wilfully or grossly misrepresented on a material point; but the simple fact that he 'has been misunderstood,' does not constitute a breach of privilege.

"A member cannot, as a matter of right, interrupt debate to correct a misunderstanding of his position; but may be allowed the courtesy by the member speaking, [through the Chair,] or by the Assembly. He should not abuse the court-

easy, by adducing facts or arguments, but confine himself strictly to a correction of the misunderstanding.

"A question of privilege is debatable; and is to be decided by the Chair, subject to appeal to the Assembly, or on points of order. What relief is offered depends on the peculiar circumstances of the case.

"A question of privilege, affecting the Assembly, takes precedence of one affecting an individual; but, when one is pending, the other cannot be entertained. Of course, a question of privilege takes precedence of a point of order."

"MEETINGS" AND "SESSIONS."

The "Session" of an Assembly may include many meetings, as in the case of a State Legislature; and sometimes of Grand Lodges and other Assemblies, including political conventions. Each "Meeting" is the time during which no adjournment is had, and includes all the proceedings of one day, whether continuous or at intervals.

In City Councils, Lodges, etc., which meet weekly, or at other stated periods—"continuing assemblies" without "dissolution"—there is practically no difference between "session" and "meeting," but the latter term is generally used. When, however, an adjourned (not a special) meeting is held, the "two meetings" comprise "one session."

When an "adjournment" is had, the meeting is at an end; but not necessarily the session. Frequently, however, the motion is intended and understood

to mean a "recess," as during the noon hour, or until a certain hour on the same day; in which case, regardless of the words used, the record should show that "a recess was taken."

RECESS MOTIONS.

A motion "to Take a Recess," ranks next above "questions of privilege," and next below a motion "to adjourn." It may be in either of three forms, namely:

1. To Take a Recess.
2. To Take a Recess for a Certain Time.
3. To Take a Recess to a Certain Time.

Neither has precedence over the other; and either may be offered in lieu of, or as an amendment for, the other; or either may be otherwise amended as to time. When simply for a "recess," it is not debatable, because perfect in form; in any other form it is subject to limited debate, of the "suggestion" order.

When no time is fixed, a "recess" means "until called to order by the Chair," the exact time depending upon conditions, as when awaiting the report of a committee, the result of a ballot, or other temporary delay.

ADJOURNMENT TO A FIXED TIME.

A motion "to Adjourn," is the next highest in rank, of the privileged motions; and, when the time for re-assembling has been fixed, it is the highest in

rank, except an "Emergency motion." It cannot be amended because already perfect in form; nor debated, because intended to stop business.

It is commonly said that a "motion to adjourn" is always in order; but such is not the case (even when a special rule says it is) unless the exceptions are provided for. It is not in order—

While a member has the floor.

Nor, While a vote is being taken.

Nor, While the Assembly is dividing.

Nor, During the verification of a vote.

Nor, While the Chair is stating a question.

Nor, While a member is claiming the floor to move a reconsideration.

After a motion to adjourn has been put (but before the result has been announced) a member may "claim the floor," and give "notice of a motion for the reconsideration of another motion"; or, on application to the Clerk, he may have it entered on the record, as though given before the vote to adjourn. The reason is, that an "emergency" might exist—the subject-matter of the motion, proposed to be reconsidered, "might get beyond the control of the Assembly."

When a motion to adjourn is lost, it may be renewed, whenever any other business has intervened, or debate had, and the floor can be obtained. It is not the same motion, because conditions have changed. But when evidently being used for the purpose of delay, the would-be mover should be "overlooked."

LESSON XXVIII.

Motions to Adjourn Cannot be Amended, Unless they Would Dissolve the Assembly. When the time and place for re-assembling has not been fixed upon, the motion should not be made unless the Assembly is ready to dissolve; and in such case it may be debated.—JOHN L. BRANCH.

ADJOURNMENT TO A TIME CERTAIN.

A "Motion to Adjourn to a Time Certain"—the place and hour for re-assembling not having been previously fixed—has precedence over a simple motion to adjourn. The form should be—

"Mr. Chairman: I move that the Assembly adjourn until to-morrow morning at —— o'clock," [adding, if necessary, the proposed place of meeting.]

If the time and place have been fixed by a previous motion—or, as in Lodges, by constitutional law, by-law, or special rule—the proper motion is "to adjourn;" or, in Lodge parlance, to "proceed to close." If the "time" or "place" is to be changed, "reconsideration" is the proper method. If not to be changed, the motion "to adjourn" is more direct—not being debatable or amendable—while a motion "to adjourn to a time certain" is subject to amendment, as to the time (and place), and to debate thereon.

The motion "to adjourn to a time certain," is in order, even after the vote on a simple adjournment

has been taken (if the result has not yet been announced), and the proposed "adjournment" should be ignored. Even after such announcement, it will be in order, if the members have not left the hall, or can be recalled; because it is practically an "emergency motion," and "necessity knows no law."

If an adjournment is had, without fixing a time—no time having been previously fixed—it is an "adjournment sine die;" unless in some manner arbitrarily bridged over. The Chairman (if willing to correct the error) would consider the motion as having been "subject to call," and direct the Clerk to make the record so show—regardless of the fact—and then "call another meeting." It would be in harmony with the wishes of the members; and would prevent premature dissolution.

TO FIX A TIME FOR RE-ASSEMBLING.

Ordinarily the time and place for the re-assembling of an Assembly is fixed by special rule. When not so fixed, a motion—declaring the time when, and the place where, the Assembly will re-assemble—is the highest in rank of all privileged motions, except an absolute "emergency motion;" and, practically is an emergency motion.

It being more important to know when and where to meet again, than to adjourn, the motion supersedes,

not only a simple motion "to adjourn," but one "to adjourn to a time-certain;" but, not after the latter motion has been put.

A motion to fix a time (and place) for re-assembling, is subject to amendment; and to limited debate. The ordinary form is:

"I move that when the Assembly adjourns it be to meet again on ———," etc., or, "at ———, on ———," etc.;

Or, "at such time and place as the Chair may designate, notice thereof to be given to members."

This motion should be made earlier in the proceedings; but is in order at any time. When no other business is pending, it is an "ordinary main motion" in all respects. At any other time it is highly privileged; even to the extent of interrupting a member. It is, of course, seldom necessary to do that, as where "adjournment" is imminent.

When adopted, it makes a special rule, and business goes on as before. If a motion to adjourn was pending the question will recur thereon; if not, the Assembly can "adjourn" when it gets ready.

Nor should this motion be confounded with the ordinary main motion—so often regarded as privileged—"that the Assembly adjourn at — o'clock." But a motion "to adjourn at — o'clock, and re-assemble at — o'clock tomorrow morning," would be semi-privileged; because providing a time for re-assembling.

DISSOLUTION.

One of the best of modern writers (WAPLES) holds that, if an Assembly has not completed its business, a motion to adjourn—when the day, hour and place for another meeting has not been fixed—is out of order, and should not be entertained. He goes further, and declares that a motion “to adjourn sine die,” is never privileged; in support of which he says:

“It is not expedient, and not becoming that, pending the consideration of other questions, the question of life or death of the Assembly be brought up and determined without discussion. Members are often forgetful of matters demanding attention. If the motion were undebatable, they might vote in its favor and terminate the existence of the Assembly. After that existence had been determined beyond recall, they might learn, with unavailing regret, that the Assembly, if allowed to live, might have done more work of importance.

“The distinction between a motion to adjourn and one to dissolve—that is, to adjourn sine die—is often not appreciated; and there has grown up an erroneous practice of holding the motion to adjourn to be entitled to precedence, and to be determined without debate, even when it operates as a motion to dissolve.

“The serious harm which might result is generally obviated by an appeal to the courtesy of the mover. For instance, some member jumps up and requests that the motion be withdrawn, so that other matters, which are specified, may be acted upon. If the motion were undebatable such a proceeding would be out of order. The member would apparently have no right to the floor, and his request be out of order, being in reality an argument against the motion. But, when the annihilation of an assembly is proposed, argument should be a matter of right, not of courtesy.”

To which it may be added that in such a case the member having "taken the bit in his teeth," because of the improper procedure; and under the guise of a request, called the attention of the Assembly to the true condition of things, the Assembly would be in shape to vote understandingly.

ADJOURNMENT, GENERALLY.

Before dismissing the general topic of "Adjournment," it may be mentioned anew, that less than a quorum may fix the place and time of another meeting, or of an adjourned meeting, and may adjourn. But less than a quorum cannot, in direct terms, adjourn sine die; yet, as we have seen, they may "dissolve the Assembly" by failing to fix the time for re-assembling.

A motion "to adjourn" cannot be laid on the table, nor postponed or committed; but, a motion to fix the time for re-assembling may be. Of course, the time of meeting must be determined, in some form, before actual adjournment, unless dissolution is desired.

Debate on questions of recess and adjournment, when debate is permissible, may be suppressed by the previous question; or by incidental motion limiting the time. The same rule applies to all privileged questions—since they lose their special privilege as soon as stated, except in an emergency.

The rule stated in connection with the motion to adjourn, relative to "notice of reconsideration," applies to any form of the motion, when the hour is too late to make the motion to reconsider, the "time-limit" not having expired.

A simple motion to adjourn may be made whenever a member can get the floor; but he may not interrupt a member. The Assembly cannot be kept in session against its will; and a motion must precede action.

The general effect of an adjournment is to defer action. Any business pending at the time is to be taken up as soon as practicable after re-assembling; and the same rule applies when a recess has been taken.

EMERGENCY MOTIONS.

Extreme and immediate urgency may, at times, secure a privilege for a motion which it would not otherwise have; for every wrong a remedy must be provided. When necessity demands it, the power to act must rest somewhere; and the Chair, being the Representative of the Assembly, must act for the Assembly when it cannot act for itself.

If circumstances will permit, formal motions must be made, and the Chair, subject to appeal, must judge whether or not they are "privileged," and act accord-

ingly. Included in this class of motions, are those arising in case of accident or sickness, fires and mishaps;—anything unusual which demands immediate attention.

In an emergency, the Chair may decide, with or without a motion, who may remain; and he may direct the ejection of others. The public authorities need not be called upon; and, if no harsher treatment is used than necessary, neither the Chair nor the members are liable for damages. In ordering the removal, their legal rights were not exceeded—intruders may always be ejected.

Again quoting Mr. WAPLES:

“If, on account of sudden sickness, or for any other reason, the Chairman should leave his chair, or the Clerk his desk, an immediate election, to fill pro tempore, would be in order, unless other provision therefor had previously been made. Sometimes, the Chair asks a member to take his place in the interim, and the formality of an election pro tempore is dispensed with by unanimous acquiescence.”

The Chair may, in case of emergency or extreme disorder, declare an adjournment or recess; and, if no time for re-assembling has been fixed, may fix the time and direct the Clerk to note such adjournment or recess on the minutes. The same writer adds:

“When an Assembly becomes so disorderly as to refuse to obey the Chair, and, by reason of excitement, have become incapable of calmly considering questions, it has abdicated its

authority as fully as though it had dispersed and left the Chair and the Clerk the only occupants of the hall"—and the only ones competent to act.

"If the Chairman abuse his high prerogative, his punishment is in the Assembly's own hands; and it would have power to censure or even depose him for a tyrannical order of adjournment, or for any other culpable act."

Other writers tacitly sanction this view, mainly on the theory that as "less than a quorum can adjourn," those who do not "lose their heads" are masters of the situation, and should govern themselves accordingly.

Other emergencies may arise where the Chair, of his own motion, might put questions at once, or on the moment; and even declare a motion carried which had not been put, or make an order equivalent thereto. For instance, in case of a fire, or other danger, he might declare that:

"The Assembly stands adjourned, subject to the call of the Chair!"

Or, "We will meet at once [or at ——— o'clock] at Scim-son's hall."

"When a committee is through with any business referred to it, and prepared to report, instead of adjourning, a motion should be made 'to rise;' which motion, in a committee, has the same privileges as 'to adjourn' in the Assembly."—ROBERT.

LESSON XXIX.

"Miscellaneous Motions" are Such as Cannot be Classed, on account of the rules which govern them, with ordinary, subsidiary, incidental or privileged motions.—URIAH SMITH.

MISCELLANEOUS MOTIONS.

"Miscellaneous Motions" are those not included in the foregoing, or, if so, only incidentally. They are sometimes in one class and sometimes in another, and often partake of the characteristics of more than one class. They will be considered in the following order:

1. Reconsideration.
 2. To Rescind, Annul, or Expunge.
 3. To Take From the Table.
 4. To Take Up Out of Order.
 5. Relative to Voting.
 6. Duplex Motion.
 7. Methods of Consideration.
-

RECONSIDERATION.

The topic of "Reconsideration,"—or, how to consider a question a second time—has been briefly discussed, out of its parliamentary order. When a motion has been voted upon, it is presumably disposed of, and can come up again, as we have seen, only on a

question of "reconsideration;" which motion is not only subsidiary and suspensive, but at times privileged.

The motion "to reconsider" applies to every other motion, ordinary or privileged—which has been passed upon, but which has not passed beyond control of the Assembly. When moved (or notice of intention to move is given) it wholly suspends the action of the measure to which it is applied, until it is itself tabled or otherwise acted upon. It does not apply—

To Adjournment; that motion cannot be suspended;—when the Assembly is again in session it is too late.

Nor, to another motion to reconsider; since a motion to reconsider cannot be renewed when lost.

Nor, to a motion to suspend the rules; because the rule permitting reconsideration is also suspended.

Nor, to an affirmative vote to lay on the table; because it is more direct to take from the table.

Nor, to an appeal which has been laid on the table; the occasion has passed.

Nor, to a vote to take from the table; because more direct to again lay on the table.

Nor, to an election or to any executed order; because it is too late not to do a thing, after the thing is done—being beyond recall, it is beyond reconsideration.

Nor, to the previous question, when it has been partially executed, for the same reason.

Nor, to a measure which has passed from the Assembly; because no longer under its control.

Nor, where a measure has determined the character of, or influenced subsequent action.

Nor, to commitment; if the papers referred have reached the committee.

PECULIARITIES OF RECONSIDERATION.

The motion to reconsider must be made promptly or not at all,—that is, unless so made, it will be too late. The limit for making it, in the absence of a special rule, is during the meeting at which the motion proposed to be reconsidered was passed, or the next succeeding day of meeting. If the Assembly fails to meet, the “time-limit” expires. When too late, the only remedy is to “rescind” the original main motion, if it was adopted; or to renew it, if lost.

Because of the peculiarities stated, the motion to reconsider may become an “emergency motion” and be in order, as previously shown, even while a member is speaking; or before the result is announced on a motion to adjourn. In either case the mover needs no recognition; nor is he to be deemed discourteous because of the interruption.

When moved as an “emergency motion,” it may at once be disposed of, or it may be treated as a “notice of motion,” and thus hold the subject-matter in abey-

ance. When not an emergency motion, it still takes precedence of any other question not highly privileged. While it will not "take a member off the floor," unless adjournment is pending, it may be made relative to one measure while another measure is being considered.

After being made, it yields to privileged questions other than "Orders of the Day;" and, of course, to incidental questions. The making of the motion, in itself, suspends the operation of the motion to which it is applied. A "notice of motion" serves the same purpose; the vote may or may not be delayed. If made during a vote on adjournment, and the Assembly adjourns (in the absence of a special rule), it becomes the pending motion on re-assembling.

The motion is only debatable when the motion proposed to be reconsidered was. If adopted, it brings back the measure in the precise form it was in, when disposed of; except that the motion reconsidered is again pending, as though never voted upon, and is to be at once stated.

Much latitude in debate is allowed on a motion to reconsider, unless the motion proposed to be reconsidered was not debatable. The reason for the latitude is that it may be the "last chance." While, when reconsidered, the original measure is again subject to

debate, a member who "exhausted his privilege" when the question was first before the Assembly, cannot discuss it further; but he can do so while the motion to reconsider is pending.

VOTE AND FORM.

The motion to reconsider requires only a majority vote, regardless of the vote required to adopt the motion proposed to be reconsidered. Many members, and occasionally chairmen, get confused on the question of reconsideration. It is not a "second vote on a motion," but a motion to determine whether or not a second vote shall be taken. If adopted the original question is to be again stated by the Chair, after which proceedings are to be as though no proceedings had been had.

The form of motion is:

"I move to reconsider the vote whereby the motion [describing it] was adopted" [or "lost."]

If the motion to reconsider is lost, the measure is finally disposed of; but the rule that no motion can be twice reconsidered does not apply, if, after reconsideration, a measure is substantially changed;—it then becomes another motion.

When a motion to reconsider is laid on the table, it leaves the original measure where it was; the proposed reconsideration being no longer suspensive but suspended.

When a motion, which has been amended, is brought back for reconsideration, the amendments cannot be considered unless by consecutive motions to reconsider; the rule (as stated by Mr. REED) being:

"If the Assembly desires to reconsider an act, it must retract, in regular order, all subsequent action which affects the act to be reconsidered."

The rule providing that the motion is to be made by one who voted on the prevailing side on the motion proposed to be reconsidered is quite elastic, when no record is kept of the individual vote. The modern rule is as stated in Lesson 6, when "reconsideration" was earlier considered. The old rule was:

"The Chair will generally presume (or ask if) the mover voted on the prevailing side—and the response (regardless of the fact) cannot be challenged."

The "previous question," if ordered on a motion to reconsider, affects the question of reconsideration only—not the measure it proposes to reconsider.

It is well to remember that the giving of a "notice of motion" will not prevent another member from making the motion; otherwise, the "notice" might be used to defeat reconsideration.

TO RESCIND, ANNUL, OR EXPUNGE.

It sometimes happens that an Assembly desires to "Rescind and Annul" its Action, when too late to reconsider it—sometimes so long afterwards that few of the then members are still members. The only course available is to vote to rescind (or annul) the action of the Assembly, properly designating it.

The motion is an ordinary main motion. Unlike "reconsideration," the former action of the Assembly is not to be reversed or modified, save inferentially. The effect is to declare that the previous action of the Assembly was "not justified by the facts," as since ascertained—not that the measure was not properly perfected, or that the Assembly was not justified, at the time, by the facts then known.

If the motion to annul is adopted, the record will show the fact of adoption, but the former record will not be 'expunged.'

If the Assembly desires to be more emphatic the motion, instead of to "rescind and annul" will be to "Rescind and Expunge;" and if so ordered, the former action is actually "rescinded," but only theoretically "expunged." It becomes the duty of the Clerk, when such a motion is adopted, to draw a line around the rescinded words, and write across them (but in such a manner as not to obliterate them), the words :

"Expunged by Order dated ——."

A familiar illustration is shown on the journal of the House of Representatives of one of the northwestern states—a well-known citizen being almost unanimously “censured” at one session, and its action being almost unanimously “rescinded and expunged” years later.

ASSEMBLY RECORDS.

The records of an Assembly are *prima facie* evidence of the facts set forth therein; and it is important that they be absolutely correct. This does not mean that they must show all the little details; but all essential facts are to be recorded, and non-essentials omitted. The doings of the Assembly (and not the sayings of its members) are to be noted; hence motions which are not stated are not to be recorded—nor are many trivial matters, which are too often dwelt upon, to be perpetuated.

After the minutes are approved, the Assembly is bound by them, unless subsequently corrected in accordance with the facts—not by the suppression of the facts! Sometimes an Assembly regrets certain action and refuses to adopt the minutes showing it; or, “under color of amendment,” distorts the facts. When the record is true, it should be approved or adopted; and if any regrets exist the remedy is in reconsideration or annulment.

It is important to remember, also, that "approved minutes" are the "best evidence" of what occurred in an Assembly; and that the courts will seldom permit oral testimony in reference thereto—especially if conflicting therewith. We have already seen that (in the absence of a clear and explicit special rule to the contrary) a member cannot be disciplined for words uttered or acts done in an Assembly, unless they appear of record,—that is, unless they have been "taken down."

But, where the minutes are kept in a brief form, or in ordinary assemblies, if they are correct, they may be supplemented by oral evidence. Not, however, unless the same is in harmony with the record; and not in reference to matters not of record. And, if any serious mis-statement appears of record, it will tend to impeach the records as a whole.

In the words of MR. CROCKER:

"The journal should be a record of what has been done, no matter how objectionable the action. It is the duty of the Clerk to state the facts. Members may annul, by subsequent votes, their previous inconsiderate action; but they cannot change such action by making the records tell an untruth in regard to it. A motion to amend the record should appear in the record of the meeting at which it is acted upon;"—[the Clerk must not erase or interline the record itself.]

The Clerk should also make a note—not in the original record, but on the margin thereof—showing

the fact of an amendment, and referring to the page of the journal containing the "correction." Sometimes it is well to enclose the words amended, by brackets

Under no circumstances should the record itself be changed; one might as well change the figures in books of accounts, instead of making proper entries of the desired change.

Minutes may be corrected by mere suggestion of error or omission, or by formal vote. Generally it is too late to do so, after their formal approval; but they can be reached by reconsideration, and, as shown, by rescinding. If an Assembly approve minutes which have not been read, and the record shows they were read, the Assembly is bound by its record.

When too late for reconsideration, in cases where "rescinding" is not the proper remedy, the matter may be reached by a resolution reciting the facts; in which case a memoranda should be made on the margin of the original entry, calling attention thereto, but making no erasures or interlineations in the original entry.

"There seems to be no reason or good precedent for permitting merely two persons, by moving a reconsideration, to suspend for any length of time all action under resolutions adopted by the Assembly; and yet, where the delay is very short, the advantages of reconsideration over-balance the evil."—ROBERT.

LESSON XXX.

Precedents, Blindly Followed, form a Complicated System which Few can Master—a system ill-suited to general use. The result is a simple and consistent system, which may be easily understood and readily remembered, because founded upon equity and built up by a process of reason.—GEORGE G. CROCKER.

TAKING MOTION FROM TABLE.

The motion to “Take From the Table” a measure which has been previously tabled is an ordinary main motion, but is undebatable and can have no amendment applied thereto, being perfect in form. It is deemed discourteous to make this motion in the absence of the author of the tabled measure; or, if he is present, or against his wishes—unless it affects other matters or impedes business.

Being an ordinary main motion, it may be made only when no other business is pending. If adopted, the measure comes up at once for consideration, together with any adhering amendments; but without any intervening motions which may have been pending when tabled.

Inasmuch as tabling a measure is generally intended to dispose of it—although not the ostensible purpose—it is often difficult to find a majority willing

to take the measure from the table. It therefore behooves the friends of the measure not to attempt to take it from the table when other business is pressing, even though not actually pending.

The motion requires only a majority vote, since it is not deemed an "unusual" one, although infrequently made. But if made on the day when the measure was tabled, it requires a two-thirds vote (if the Assembly will meet on another day), because that would be unusual. In assemblies having continuous sessions (as in Legislatures and Lodges) the motion, if lost, cannot again be made at the same meeting.

Of course no subsidiary motion can be applied to it, because already direct, but an incidental question may be raised, or it may be temporarily superseded by a privileged question. The ordinary form is:

"I move that [describing the motion] be taken from the table."

Or, "I move that we now consider [description] which was tabled yesterday."

Ordinarily the mover will make a brief explanation, in making the motion, with a view to conciliating possible opponents.

A motion which was "Tabled Subject to Call," can be taken up without a motion whenever any member can obtain the floor for making an ordinary motion. The usual form is:

Member—"Mr. Chairman: I call up the motion [describing it] which was tabled subject to call."

The Chair—"The motion is before the Assembly, and the question is on its adoption," [or other proper statement.]

The question having been stated the measure is before the Assembly, as though never tabled, together with any adhering amendments, but without intervening motions.

TO TAKE UP OUT OF ORDER.

A motion to Take up a Measure Out of Order, that is, out of its usual order, is substantially another form of suspension of such rules as would otherwise prevent it. It is an ordinary main motion, since it can not be moved when any other motion is pending.

Being practically a suspension of the rules, it requires the same vote as does a direct motion to suspend; and is unusual because granting a special privilege not accorded as of right to all members. The general form of the motion is:

"I move that [describing the motion] be taken up at this time for consideration," with or without additional words, as "and that, after one hour's debate, the question be taken thereon," or "and that the question be taken thereon without further amendment or debate."

The motion "to take up," etc., is not amendable, except in the line of "suggestions"; and, debate, if any, must be limited.

RELATIVE TO VOTING.

Concerning motions relative to voting JEFFERSON and other early writers held (and REED and others now hold) not only that the majority must govern, but that (in the absence of a special rule) the majority may, on the moment, make or unmake its rules, even though it revokes itself;—that the minority, if allowed to be heard, should be satisfied—and, if not heard, have no right to complain.

Such is the law as applied to legislative bodies having standing rules which supplement the law—rules which must be obeyed until repealed—and, because of those standing rules, “majority rule,” pure and simple, is not in force in any legislative body, and the law is a dead letter.

All assemblies are necessarily democratic—“the will of the majority is the will of the whole”—and no exception to this principle is found in what is known as the “two-thirds rule;” since it may be repealed by a bare majority if the majority so wish. The majority must govern,” and, so long as it can make and unmake rules, it does govern—regardless of the vote required by certain rules to adopt certain measures or pass certain motions.

Where a special rule allows a thing to be done by the minority—as in calling for the yeas and nays—it is still “majority rule” because authorized by the majority. General BANKS was elected Speaker of

"RECONSIDERATION" AND "PREVIOUS QUESTION."

Another form of duplex-motion is to move reconsideration and on that motion move the previous question, thus precluding debate. This is practically a duplex-motion, although stated as two questions, the form being :

Member—"I move that the vote whereby the motion [describing it] was adopted [or lost] be reconsidered; and on that motion I move the previous question."

The Chair—"The motion is that the motion [describing it] be reconsidered; on which motion the previous question is called for. All in favor of the previous question being ordered on the proposed reconsideration will say Aye!" etc.

If the motion is adopted, a vote is at once taken on the motion to reconsider. If lost, the motion to reconsider is still pending, but subject to debate or other action thereon.

The advantage of this form is that it cuts off a motion to lay the motion to reconsider on the table, if the previous question is ordered. In any event, if voted upon, the question of reconsideration cannot again be considered and the subject-matter is therefore settled. But, by a "parliamentary fiction" a "settled question" may generally be renewed as an independent motion, after other business has intervened, if "substantially changed," which term is also a parliamentary fiction, since "substantially" means "somewhat."

"MAIN MOTION" AND "PREVIOUS QUESTION."

Still another form of duplex-motion is to make a "main motion," and at the same time call for "the

Col. ROBERT claims the two-thirds rule to be applicable to motions to amend or suspend the rules ; to limit, extend or close debate ; to make a special order ; to take up a question out of order ; to objection to consideration, and to the previous question.

URIAH SMITH and others claim that it applies (in the absence of a special rule) only to motions which affect the privileges of individual members and to motions by which the majority may ride rough-shod over the minority—which position seems to be well taken.

In other words, the two-thirds rule should be applied only to motions which are “unusual” in the sense that they arbitrarily suspend the general parliamentary law ; and not to those which simply facilitate its operation. It should apply—

To “objection to consideration,” because a motion which arbitrarily suspends the rule allowing consideration and absolutely suppresses the measure objected to.

To motions “to suspend (not amend) the rules,” because otherwise the minority would otherwise be powerless ; and the most important matters might be rushed through without a hearing.

To motions “to take up out of order,” because in effect a suspension of rules and a motion giving a special privilege to one member.—[If permitted, the majority might exchange privileges, and measures proposed by the minority never be accorded a hearing.]

To all motions properly to be called "unusual," because of the tendency of a partizan majority to crowd out all measures not meeting its approval, often without knowing what they really are; and because of a like tendency to rush measures in which it has a special interest.

Being in line with the accepted legislative practice of many years, it should be deemed well established—when not conflicting with the rules of an Assembly; and the consensus of opinion declares it to be "in full force and effect" not only in Lodges, but in political and other gatherings of short duration.

Col. ROBERT to the contrary, the "two-thirds rule" should not apply to—

Motions "to amend the rules," unless the rules themselves so provide. If the majority, desire them amended, the minority should not be allowed to prevent it, since the rules are of general application. Amending the rules, unlike suspending them, is not an "unusual" proceeding; and, generally speaking, previous notice of the motion is required to be given.

Nor to motions to regulate the duration of debate, which equally affect both sides, if the time is fairly apportioned; and, if not disposed to be fair, the majority, if necessary, would find other means of accomplishing its purpose.

Nor to "the previous question," which, in some assemblies, is absolutely necessary to enable the majority to act. It can only prevail when an assembly (that is the majority) is ready to vote; and is not an arbitrary motion in the proper sense—nor an unusual one.

Nor should it be applied to "Special Orders" under any circumstances. Inasmuch as a bare majority may make a "special order" by postponing a measure to a time certain;

it seems absurd to hold that less than a majority may reverse the order of the Assembly when the appointed time arrives. Certainly there is no "gag-law" in the making of a special order; if a majority is not prepared to act, but willing to fix a time when it will, the minority should not be allowed to prevent it.

It is proper to add while Col. ROBERT includes the "making of a special order" among those requiring a two-thirds vote, he admits elsewhere that a "motion to postpone to a day certain" (which is the only way to make a "special order") requires only a majority vote, and adds that "the effect of this motion is to postpone the entire subject to the time specified, until which time it cannot be taken up, except by a two-thirds vote."

The latter statement is beyond question correct; since a motion to take up a special order before the appointed time is simply one "to take up out of order," and an "unusual" proceeding.

It will be seen that the position herein taken relative to the two-thirds rule and its application, is a compromise between Col. ROBERT and "Majority REED; and that it is "plain, consistent, founded on common sense, and sanctioned by experience."

"To take up a question out of its proper order, is to suspend the rules for that purpose. Hence, a mere majority cannot so order."—HARVELL.

LESSON XXXI.

The Right Way of Conducting the **Business of a Meeting or Society**—by applying the proper rules—is exceedingly simple and easy to understand.—JOSEPH B. BURLEIGH.

DIVISION OF QUESTION RE-STATED.

It often happens that, instead of dividing a measure for general consideration it is discussed as a whole, and after the debate proper has been closed, the Assembly desires to vote on sundry propositions separately. In such a case, an independent motion (not an amendment) is offered to so divide; and proceedings are had substantially as stated in Lesson 22, except that, generally, the debate is limited by special motion.

Of course, the motion divided must be into such parts as will enable a separate vote to be taken on each proposition or group of propositions. Each division is to stand alone, without the aid of propositions afterwards to be submitted; and be such that the adoption of any one, two or more propositions will make a perfect motion regardless of other propositions yet to be voted upon.

DUPLEX MOTIONS—TABLING RECONSIDERATION.

“Duplex Motions” are double motions, presented as one motion, to definitely settle a question, as by forc-

ing a vote on reconsideration and making it impossible or impracticable to reconsider. While apparently conflicting with the "one thing at a time" rule, they are justified as being more direct than by two separate motions. A common form is:

"I move to reconsider the vote just taken [or other description] and that that motion [or the motion to reconsider] be laid on the table."

This method is absolutely "reconsideration-proof," in there is no danger of it being taken from the table and adopted. The measure proposed to be reconsidered is not affected thereby.

If not adopted a simple motion "to reconsider" would still be in order, because the duplex-motion had the right of way and could not be amended or debated.

It should be noted that if the motion to reconsider was first made, nothing could prevent the motion to lay on the table being applied to it; the effect would be the same but it would take more time.

The motion "to reconsider," having been laid on the table, the measure to which it was ostensibly applied is no longer affected by it. As it would be "unusual" to take it from the table at the same meeting a "two-thirds" vote would be required; and the subject-matter would probably be beyond the control of the Assembly before a meeting would be held at which a bare majority could take it up, if so disposed.

"RECONSIDERATION" AND "PREVIOUS QUESTION."

Another form of duplex-motion is to move reconsideration and on that motion move the previous question, thus precluding debate. This is practically a duplex-motion, although stated as two questions, the form being:

Member—"I move that the vote whereby the motion [describing it] was adopted [or lost] be reconsidered; and on that motion I move the previous question."

The Chair—"The motion is that the motion [describing it] be reconsidered; on which motion the previous question is called for. All in favor of the previous question being ordered on the proposed reconsideration will say Aye!" etc.

If the motion is adopted, a vote is at once taken on the motion to reconsider. If lost, the motion to reconsider is still pending, but subject to debate or other action thereon.

The advantage of this form is that it cuts off a motion to lay the motion to reconsider on the table, if the previous question is ordered. In any event, if voted upon, the question of reconsideration cannot again be considered and the subject-matter is therefore settled. But, by a "parliamentary fiction" a "settled question" may generally be renewed as an independent motion, after other business has intervened, if "substantially changed," which term is also a parliamentary fiction, since "substantially" means "somewhat."

"MAIN MOTION" AND "PREVIOUS QUESTION."

Still another form of duplex-motion is to make a "main motion," and at the same time call for "the

previous question." It is quite common and is in order. It looks as though violative of the fundamental law of "one thing at a time," but is not so held. The mover "makes but one motion," and on that "asks" for immediate action.

Proceedings are as shown in the last preceding form. Of course, before putting the call, the motion must be seconded and stated. When used to force a measure through, it is practically "gag-law." Generally it is used to expedite motions which the Assembly is presumed to be ready for because in perfect form and proper to be passed upon. The better way, however, is for the mover to make the motion and wait until it has been stated, and then add a brief explanation and (before yielding the floor) move the previous question.

MAIN MOTION AND ROLL-CALL.

Substantially the same course can be taken by making a motion coupled with a "call for the yeas and nays," in assemblies having a roll-call. The general form is the same. If the call for the yeas and nays is ordered, the main motion is at once put; even though, in form, a debatable motion which would otherwise be amended.

In assemblies having no roll-call, the substitute therefor may be applied, the duplex-motion being:

"I move that ——," etc., "and on that motion I call for a division of the assembly."

If the division is ordered, the main motion is to be put without amendment or debate.

METHODS OF CONSIDERATION.

The motions by which an Assembly determines the method of consideration of a measure are:

To fix a time for consideration.

Limiting the time for consideration.

Relative to dividing the question.

To consider in Committee of the Whole; or Informal Consideration.

Either of these motions is in order (and sometimes several of them, one after the other, although generally so framed as to constitute but one motion) as soon as the main motion has been stated—or, when conditions permit, at any time thereafter. The purpose is to agree upon a plan which will the better enable the Assembly to properly consider the measure.

The motion to fix a time is simply a motion to "postpone to a day certain." If adopted it makes the measure the "special order" when the designated day and hour arrives.

The motions to limit debate are not only fully recognized, but at times semi-privileged. They may determine—

The total time to be allowed for debate, and the hour for closing the same and voting on the measure.

Whether the time shall be allotted to the Assembly as a whole, or to the friends and opponents of the measure, or to individual members.

The length of time to be allowed each member, or the number of speeches, or both.

How the vote shall be taken, and whether as a whole or by paragraphs or divisions.

Or, combinations of the foregoing; as applied to the whole measure or to certain features thereof.

Whether to consider in the Assembly direct, or in committee of the whole; or informally.

Whether to make any special rule to govern debate, if not considered in the Assembly.

OPINIONS OF EXPERTS.

Relative to the use of motions in determining the method of consideration, Mr. REED says:

"Being a sort of special rules applicable to particular questions, and made only when no other special rule has been established for the occasion, they are in order at almost any stage. Relating as they do to debate, and to order of action on the part of the Assembly, they give it so complete a control of its business that little is left to be desired."

Mr. WAPLES says:

"The right to close discussion when it has been so prolonged and tedious as to be no longer desirable or profitable should exist somewhere. The suppression of debate is usually by the designation of a future hour. Within that time all have an equal right to obtain the floor; and any one who fails cannot complain that the limitation was specially unjust to himself."

The only disputed question is as to the vote required to adopt this class of motion; a few writers, as we have seen, claiming that the two-thirds rule should apply. In view of the fact that it does not cut off debate but simply limits it, it seems evident that (in the absence of a special rule) a majority, will suffice; especially as a majority may suppress all debate by means of other motions.

In any event the vote required must be the same as the same Assembly requires for the "previous question"—the effect being the same with a proviso that the previous question be temporarily suspended—but, unlike the previous question it is debatable and amendable.

The adoption of motions regulating debate does not prevent further amendments, etc., as would the application of the previous question, and is therefore preferable if only the limiting (or closing) of debate is desired. Nor does the fact that debate closes before the time-limit expires prevent a vote when it actually closes.

While this class of motions, being intended to save time, are neither amendable or debatable, "suggestions" are permitted; but, if a motion is lost, another motion (fixing a different time or providing other conditions) would be in order at any time.

Ordinarily these motions are "suggestions" by the Chair, or by the member presenting the subject under consideration, in an informal manner and adopted by "silent assent." When no agreement can be arrived at, informally, the motions referred to are formally made, the general form being:

"I move that the measure be considered in committee of the whole," [or that it "be informally considered."]

Or, "That the friends of the measure be allowed one hour for debate and the opponents the next succeeding hour, and the gentleman in charge of the measure ten minutes for closing."

Or, "That one hour be devoted to debate, unless sooner disposed of, the time to be allotted alternately to those favoring and those opposing the measure."

Or, "That debate be closed at —— o'clock, unless a vote is sooner reached."

Or, "That members be limited to ten minutes each, except that the author be allowed ten minutes additional in closing."

If desired, several of the foregoing propositions may be consolidated, as,

"I move that the debate close at —— o'clock, unless sooner terminated, and that a vote be then taken by yeas and nays on the measure as a whole; that each side be assigned the floor alternately, and each member desiring to be heard be allowed to speak once and limited to ten minutes, the author of the measure to close."

Or, "That the measure be considered informally, for one hour; that all debate then cease and a vote taken as speedily as practicable."

Or, during debate, at any time the floor can be obtained, a member may move:

"That further debate be now closed," [or "be closed in ten minutes."]

Or, "That the author be now allowed ten minutes, and that a vote be then taken."

After a time-limit has been fixed, and debate entered upon, the time may be extended by another motion; and by a two-thirds vote, (because "unusual,") the time of a particular member may be extended.

The time allotted the Assembly or individual members, however, cannot be curtailed by reconsideration, because "partly executed"; but it may be curtailed by a two-thirds vote; being an "unusual" proceeding, and one which should not be resorted to unless the conditions fully warranted it—not to prevent "the other side" being heard.

CONSIDERATION BY PARAGRAPHS.

When, as in the case of a code of by-laws, containing many sections—each section, perhaps, containing several distinct propositions—in determining the method of consideration it is proper to direct that it be "considered by paragraphs." If so ordered, each paragraph is to be considered, perfected and voted upon as an independent proposition, as previously stated under the head of "dividing the question."

When the whole measure has been perfected and adopted, by paragraphs (or by sections or divisions) a vote is to be taken on the whole as it then stands—or on the “original main motion, as perfected,”—notwithstanding the rule that what the Assembly has already agreed to must stand.

If, as a whole, the measure is lost, it might seem that the Assembly has reversed itself; but such a position is not well taken.” The separate voting was during the perfecting process, and in effect amendatory. While in theory the measure may have been put in the best possible shape for adoption, it may in fact have been so “loaded” with objectional features as to insure repudiation by the original friends of the measure, and its rejection, as a whole, by the Assembly.

The majority constantly shifts. One majority may perfect one paragraph, another majority a second; and still another a third. It does not follow that any majority will approve all three.

[The foregoing should not be confounded with the legislative “paragraph rule.”]

“Know all about parliamentary law, but do not try to show off your knowledge. Never be technical, nor be any more strict than is absolutely necessary for the good of the meeting.”—ROBERT.

LESSON XXXII.

The Committee is the Eye, and Ear, and Hand, and Very Often the Brain of the Assembly. Freed from the very great inconvenience of numbers, it can study a question, obtain full information, and put the proposed action into proper shape for final decision.—THOMAS B. REED.

REFERENCE TO COMMITTEES.

As we have seen [Lesson 22] motions to refer to commit, or to re-commit are substantially the same. When a measure is sent back to the mover—not withdrawn, but referred to him for modification or re-arrangement—it is said to be “referred back.”

If sent to a committee it is said to be “referred” or “committed”; and if again sent to the same committee it is no longer referred or committed, but “re-committed.”

When the committee submits its report it says “the committee to whom was referred,” etc., not “committed” or “re-committed,” and the measure is “reported back,” when it must again be disposed of.

Ostensibly, the motion to commit is for the purpose of improvement, general revision, or investigation; but a measure is frequently so amended by its opponents (without the Assembly realizing it) as to require reference to get it into satisfactory shape.

Sometimes it is referred in order to have it "killed in committee," by non-report; or by an unfavorable report; or by a report loaded down with plausible, but unsatisfactory, amendments.

At other times, it is referred simply to gain time to consider other matters; and, at still other times, in the expectation of a favorable report.

In a word either friends or opponents, when in a majority, may send a measure to a committee; and often a sufficient number of such will unite in so doing.

THE "PERFECTING" PROCESS.

The theory is that, when a measure is more or less complicated, it can be more easily modified by the few than by the many;—that while "many men of many minds" may assist in the Assembly in perfecting it "for better or worse," a dispassionate committee "may compromise and harmonize, and speedily report back the measure in such shape as to call for few additional amendments and little debate, and thereby the more quickly dispose of it."

"A measure may already be in good shape and free from amendments, yet be misunderstood and saved from indefinite postponement or more lingering death by being committed; it may give time to conciliate opponents, or bring about agreement with but slight modifications "suggested to the committee."

Or, a measure may be satisfactory in spirit, but so clumsy, defective, or manifestly unsatisfactory, as to be in danger of defeat, and yet be saved by a friendly committee.

And so, for any reason, whether stated or not, any member may move to refer the main motion and adhering motions.

INSTRUCTIONS TO THE COMMITTEE.

The motion to refer may also include special directions to the committee, as to report back at a given time, or to so amend as to provide ———, or to report a substitute along the same general lines, or as the majority may direct.

Whether instructions are given or not, the Assembly may, in effect, reconsider its action by discharging (that is relieving) a committee from further consideration of the measure; whereupon, it will at once be restored in the shape in which it left the Assembly—that is, with the “adhering motions” (or pending amendments) but without other subsidiary or incidental motions.

The motion to refer is superseded by one to “postpone to a day certain”; which, if adopted, disposes of the proposed reference, and makes the main and adhering motions the special order for the time named.

It is also superseded by "the previous question," which may apply to commitment only; or to all other questions in their order; or to all except the main motion. If not specified, it will apply to all.

Of course, it is superseded by a motion to lay on the table; which, if adopted, would lay the main and adhering motions on the table. The motion to commit cannot itself be laid on the table, for the same reason that it can not be indefinitely postponed;—the motion to commit contemplates action, while to lay on the table avoids it, and is incompatible with action.

It cannot be itself referred, because more direct to refer the main question; and because no motion can be superseded by one of the same rank. But, the previous question provides for immediate action, and may therefore be applied.

ABUSE OF COMMITMENT.

When the motion to commit is manifestly used to defeat a measure, the Chair should endeavor to prevent its abuse, but is often powerless. If moved to refer to a committee having no authority to act, he should rule it out; but not because the committee is hostile—he is not presumed to know that.

If moved with instructions to report at a time beyond the time fixed for adjournment, or other impossible time, it would be out of order; but not, when •

the time for adjournment has not been fixed, if it is within the range of possibilities (not probabilities) that the Assembly will be in session. The session which will probably last but two days, may last two weeks or more, and the mover may be acting in good faith; the Chair must presume that he is so doing until absolutely forced to a different conclusion—courtesy must not be a matter of guess-work.

The same class of abuse is occasionally applied to other motions, as motions to "postpone to a day certain," when such day is almost certain not to be reached. If certain not to be reached, it would be out of order; if only "almost certain" it must be entertained.

A motion to refer, though made so near the end of the session as to preclude a report thereon, is of the same order.

The chief remedy for abuse is the fair-mindedness of the Assembly itself. Unless the majority "mean well," the Chair can accomplish little. Members should not tolerate abuse, (in the strict sense of the term,) even though friendly to the measure benefited thereby. Experience, however, shows that when a great stake is pending on the issue, and partizanship reigns supreme, "might makes right;" and that "the end justifies the means," even in the highest deliberative bodies.

APPOINTMENT OF COMMITTEES.

Committees are appointed in various ways, but generally by the chair. The manner of appointment is largely at the discretion of the Assembly—especially in the absence of a rule to the contrary. It may be done by the chair, by nomination and vote; or the committee may be named in the motion of reference.

Occasionally, it is decided to elect the committee, in which case the rule for filling blank names in skeleton motions is to be followed; that is, the number of names suggested may be unlimited, but are to be voted upon in the order in which they are named.

It should be remembered that the final action of the Assembly may hinge on the report of the committee; and Col. ROBERT well says:

“When a committee is properly selected, in nine cases out of ten its action decides that of the Assembly. A committee for ‘action’ should be small, and consist only of those heartily in favor of the proposed action. A committee for ‘deliberation,’ or ‘investigation,’ on the contrary, should be larger, and represent all parties in the Assembly, so that its opinion will carry with it as great weight as possible. The usefulness of the committee will be greatly impaired if any important faction of the Assembly be unrepresented on the committee.”

When practicable, a committee should be composed of members having different views on the subject matter—since an agreement will be more likely

to enable the Assembly to wisely determine the same. But when an Assembly desires a certain thing done, only those in harmony with its purposes should be selected.

The Chair usually designated the chairman of a committee; and, when he fails to do so, the member first named acts until the committee selects a chairman. It is quite common for the Chair to name the mover as one of the committee, and often he is the first named. This custom is "more honored in the breach than in observance."

When the purpose is to investigate and report, the members of the committee should not be too much interested in the subject matter; but when the purpose is to "do something," the interested members are generally the best, especially when acting under instructions.

COMMITTEE MEETINGS.

Unless the committee meets they cannot act. The consent of each member will not suffice to warrant a report, without a meeting. Conference should precede consent; consent without conference is futile.

Ordinarily, a committee is not to meet while the Assembly is in session; but, if authorized so to do, no action can be taken by the Assembly while the mem-

bers of the committee are absent, if objection is made. The rule goes further: Committeemen who are "absent on duty" may object later.

The chairman of the committee should call meetings, and make reports for the committee; unless the committee otherwise direct. Under no circumstances should a "report of a committee" be made by one or more individual members, without authority of the committee, convened as such.

Committee meetings are to be conducted in an orderly manner, yet largely informal; the members may exclude other members of the Assembly if they see fit—unless the Assembly shall have ordered otherwise.

A majority of a committee constitute a quorum, and a majority of a quorum can determine its action. But, a majority of the entire committee shall agree as to the report without consulting the minority; otherwise, the effect would be weakened.

PROCEEDINGS IN COMMITTEE.

The committee, being the creature of the Assembly, should carefully consider all matters referred to them; and report thereon as expeditiously as is practicable. The form of the report should comport with the purposes of the commitment.

While a sub-committee cannot be appointed in committee of the whole, because "delegated powers cannot be delegated," sub-committees are allowed in ordinary committees. In theory, it is not known to the Assembly, and, in fact, the sub-committee does not "act" even though it do most of the work.

Discussion in committee is largely in the form of conversation, but the strict rules may be enforced. If minutes are kept, they are for the committee only; the Assembly is limited to a report, and is not interested in the procedure, unless a wrong has been done.

Disorder arising in a committee cannot be passed upon by the committee, but can be reported to the Assembly for its action, in which case, words and acts may be taken down, and proceedings had, as though the disorder occurred in the Assembly.

Papers and documents referred to a committee are to be returned to the clerk's desk without erasure, interlineation, or change of any kind; if changes are deemed necessary, they must be noted on separate papers.

PREPARING REPORTS.

Having considered the measure or measures referred to it, the committee should determine the nature of the report to be presented, and by whom the report is to be prepared and presented. The practice

of allowing the chairman of the committee to do all the work is reprehensible; yet often he is not only allowed, but required to do it.

On the other hand, the chairman should not receive credit for all the work, unless performed by him. The member preparing the report should, as a rule, present it; and, if a signed report is required, his name should lead the rest, even though he be not the chairman.

The report should be within the authority of the committee, which has no powers other than those conferred, either express or implied. It should vary in form in keeping with its purpose.

If the committee was instructed to report the facts and evidence only; it should so report, and omit its conclusions.

If to formulate opinions and declarations, it should confine itself thereto; and present resolutions so as to enable the Assembly to make its declarations.

If to modify or perfect a measure, it should report in the form of proposed amendments to the measure; in so doing, it may give its reasons therefor, either in the report itself, or orally through one of its members.

If to do a thing, it should report the doing thereof; or, if unable to do it, the reason why.

If, as sometimes happens, the committee agree on the facts, but disagree as to conclusions—being in-

structed to report on both—the report should so state; and the facts agreed upon should be stated also.

If the committee cannot agree, a majority determines what the report shall be. If the minority care to do so, a separate report may be presented in its behalf.

The “discharge” of a committee means simply “release.” If the subject matter is again referred the committee is “restored” without further action.

“The committee has no power to punish its members for disorderly conduct, its resource being to report the facts to the Assembly. No allusion can be made, in the Assembly, to what has occurred in committee; except it be by a report of the committee, or by general consent.”—ROBERT.

“A committee can only act when together, and not by separate consultation and consent;—nothing being the report of the committee but what has been agreed to in committee actually assembled.”—JEFFERSON.

“By means of committees, business is very greatly facilitated. Preliminary steps can be taken with greater dispatch than is possible with the usual mode of procedure observed in the full Assembly.”—AINSWORTH.

LESSON XXXIII.

The Form of a Motion Cannot be Amended; that is a motion to adopt a resolution cannot be amended so as to substitute a motion to reject the resolution, as this alters the form, and not the words, of the resolution.—
HENRY M. ROBERT.

REPORTS OF COMMITTEES.

The report of a committee need not always be in writing; and, when in writing, need not always be signed by the members. Frequently the chairman reports "for the committee;" but he has no right to do so unless so authorized by the committee.

A measure which has been previously referred to a committee comes up (as an ordinary motion, and not a special order), whenever it is "reported back" by the committee, or is "called back" by the Assembly; which must be at a time when no other motion is pending.

When the committee is prepared to report, its chairman (or other member designated by the committee) obtains the floor and says:

"The committee [or, "special committee"] on ——— is prepared to report."

Or, "the committee to whom was referred the motion [description] is ready to report."

Unless objection is made, the Assembly, (by "silent assent,") agrees to "receive the report."

If objection is made, the Chair, without a motion, puts the motion, "Shall the report be received?" no debate being allowed; and, if adopted, the chairman of the committee (or other member thereof) reads the report; or, it may be read from the Clerk's desk.

"RECEIVING," "ACCEPTING," "ADOPTING."

"Receiving a report," is permitting it to be made; and a motion to receive, after its receipt is, of course, out of order.

After the report has been read (or made orally) it may be "accepted," "approved" or "adopted," according to circumstances.

The effect of "accepting a report," is not to "approve" or "adopt" it; but is frequently all the action necessary.

The motion to "accept the report" may or may not include the words, "and discharge the committee," if its labors are completed; or, "and discharge the committee from further consideration of the subject," if it be a standing committee; or other proper words.

Ordinarily, no motion is made, the Chair stating that—

"The report will be accepted, if no objection is made."

Or, "The report will be approved [if a proper subject for approval] if no objection is made."

If neither "accepted" or "approved" is the proper term, the Chair may, of his own motion, say:

"The question is on the adoption of the report," etc.

Or, "What is the will of the Assembly relative to the report just made?" and await a motion.

The Chair should never presume to "adopt a report" in the name of the Assembly.

In a word, where there is nothing "to approve," and nothing "to adopt" (in the manner provided by parliamentary law), nothing should be approved, or adopted.

If a committee is directed to do a certain thing, which requires no further action on the part of the Assembly—as to purchase a stove—and afterwards reports the thing done, the proper motion would be to "approve," it being a sort of thank-offering, but there would be nothing in the report to adopt.

RECOMMENDATIONS.

If a committee reports a measure back without recommendation, the proper motion would be to "accept and discharge,"—that is, to accept the report and discharge the committee from further consideration of the subject matter—and then take up the measure as though it had never been referred.

If the committee reports the measure back, with additional amendments, the amendments offered by the committee must be kept distinct from the papers referred to them. In like manner, if the committee recommends that certain words be stricken out or inserted, etc., it must not mutilate the originals. The

•

Assembly may or may not agree with the committee, and may or may not amend the originals to suit itself; but they must be returned intact.

The rule that only two amendments will adhere at the same time to one motion seems to be ignored when two amendments are sent to the committee and, together with other amendments, reported back, but such is not the case. The committee's propositions are to be considered in the light of substitute-motions applying to the whole or to certain parts of the measure, and treated as substitute motions.

The committee should "report back" in proper shape for action—presumably that is what the reference was made for—and should, when necessary, report a substitute for the whole measure.

CONSIDERATION OF REPORT.

"Facts," as reported by a committee, cannot be amended—nor can statements in official reports be changed. The Assembly has no right to make officers or members of a committee appear to state that which they did not state.

But "declarations," etc., based upon such facts, expressive of the views or will of the Assembly (when action on the part of the Assembly is called for), may be modified and perfected before being adopted by the Assembly.

The report, itself, however (nor any papers accompanying it), must not be interlined, erased, in any

•

manner changed, but the minutes may show the changes made after the presentation of the report.

Nor can a report be so amended as to make a committee recommend a thing which it has not recommended; as is frequently attempted by inserting or striking out the word "not." The report may be so amended as to correctly state the views of the Assembly, but not in such a manner as to distort the position of the committee.

If the Assembly desires to make changes, the record must not be made to appear that the committee made them. But, "by courtesy," the committee may accept the "suggestions" offered, even after the question has been stated.

WHEN NO AMENDMENTS REPORTED.

When a committee has reported a measure back, without changes, and simply recommends that it be or be not adopted,—making no other recommendation—a motion to "accept" is the only one necessary, or proper.

In many assemblies this is not the practice; but in many assemblies parliamentary law is not practiced. To "approve" would be to determine the matter without a formal adoption; and to "adopt" would be to take action which might afterwards (and immediately afterwards) be reversed, since a vote must be taken direct on the main motion and adhering motions.

Having "accepted" the report, in such a case, the report itself would be disposed of, leaving the measure itself before the Assembly. The pending question would then be on the adoption (not approval) of the measure reported on, subject to such other motions as members might interpose. The Assembly might make the measure a "special order," or "indefinitely postpone" consideration. It would be discourteous to indefinitely postpone the report; but not to so postpone the subject matter of the report.

DISPOSING OF AMENDMENTS.

If the committee recommended further amendments, the question—after the report itself is disposed of—would be on the adoption of the amendments so proposed, which would take precedence over the amendments, if any, adhering when the measure was referred to the committee.

The amendments being disposed of, the question would be on the main motion, in whatever shape the original and committee amendments, as voted upon, left it. But, in either case, the report itself should not be "approved" or "adopted."

When, however, a committee is directed to do a thing which will require further action on the part the Assembly—as to prepare and report a plan for raising money, or a program for an entertainment,—or in any case in which the measure is made a part of

the report itself,—the report is virtually the main motion, and requires affirmative action to make it effective.

In such a case, the proper motion is to adopt the report; and, on being adopted, the measure proposed by the committee is not simply approved, but is adopted as the act of the Assembly.

The same rule obtains if "the committee recommends the adoption of the following resolution," etc., making the resolution a part of the report,—the adoption of the report adopts the resolution.

If, however, the committee report having considered the subject and "recommend the adoption of the accompanying resolution," the proper motion is to "accept the report," (not adopt it) and then take up the resolution; when the question would be on the adoption of the resolution, which has been moved and seconded by the committee, and which needs no other motion to adopt.

THE CHAIRMAN RECOGNIZED.

The chairman of the committee (or other representative thereof) is not entitled to the floor until the question to accept, approve or adopt has been stated; but a verbal report (even though stating the reasons therefor) is not debate. As soon as the question is stated, however, he should be recognized, if he so desires.

While he should forbear speaking on the question of acceptance, approval or adoption, as such, he is "presumed to understand the subject matter," and to be in a position to fully explain the report itself, if it needs explanation.

Incidentally, it may be noted, that a motion to recommit, with or without instructions, is in order as soon as the report is presented. Or, a motion may at once be made to "accept and discharge" and to refer the measure reported upon—not the report on the measure—to another committee.

AUTHORITIES QUOTED.

Mr. REED, in discussing "Reports of Committees," says:

"If the form and language of the report constitutes the real question, it is to be treated like any other question, and subject to the same rules. It can be amended and modified, and is subject to all proper motions. Where the report is 'merely explanatory' of the action recommended, it is merely advisory, and is read wholly for the information of the Assembly; and action is had on the measure which is alone the subject of the procedure. After the receipt by the Assembly of the full report of a special committee, on a subject referred to it, the committee ceases to exist. This is not true where the report is a partial one. A standing committee, after a full report, while it continues to exist, has no further control of the matter reported on without a new reference."

Col. ROBERT says:

"A very common error is after a report has been read to move that it be received; whereas the fact that it has been read shows that it has already been received by the Assembly. Another mistake—less common, but dangerous—is to vote that the report be accepted (which is equivalent to adopting it) when the intention is only to have the report up for consideration, and afterwards move its adoption. Still a third error is to move that 'the report be adopted and committee discharged,' when the committee has reported in full and its report has been received, so that the committee has already ceased to exist. If the committee, however, has made but a partial report, or report progress, then it is in order to move that 'the committee be discharged from further consideration of the subject.'"

MAJORITY AND MINORITY REPORTS.

When two reports are presented—one being signed by a majority, and the other by a minority of the committee—they are commonly called a "majority report," and a "minority report." Each should be received and read; after which only the majority report is to be considered.

But otherwise, if the Assembly, by a majority vote, substitutes the minority report for the majority report; in which case it becomes the only report before the Assembly for consideration—the rule being that two antagonistic questions cannot be pending at one time.

In a strict sense the minority report cannot even be read, unless so ordered, if objection is made thereto.

When three or more reports are presented, the one signed by the largest number is to be treated as the majority report, even though not actually signed by a majority. The other reports should also be received and read; and either may be substituted for the "majority report," or for one another.

In preparing reports, the majority should speak of itself as "the committee," and not as "a majority of the committee," but the minority should state that "the undersigned, a minority of the committee to which was referred," etc.

"A distinction must be made between receiving and accepting a report. An Assembly cannot officially know the purport and contents of a report until it is received. Receiving the report does not commit the Assembly to any of its recommendations. To accept a report is accepting or endorsing the recommendations made therein and equivalent to adoption."—F. M. PAYNE.

"A formal resolution, to give effect to the report of a committee, should accompany the report, when subsequent action is to be had in consequence of the matter reported upon."—MANSFIELD.

LESSON XXXIV.

In Non-Legal Assemblies it is Rarely Worth While to go into Committee of the Whole; unless the measure to be considered contains many items, or relates to divers subjects, or needs to be settled minutely as to the language.—THOMAS B. REED.

COMMITTEE OF THE WHOLE.

When an Assembly desires to consider and perfect (but not adopt) a measure, with all the freedom of a committee, the practice is to resolve itself into a committee consisting of all the members; the proper form being:

“That the Assembly consider the measure in Committee of the Whole.”

When ready to do so, the proper form is:

“That the Assembly do now resolve itself into Committee of the Whole, for the consideration of the pending measure.”

Or, “For the consideration of General Orders.”

Or, “For the consideration of ——,” [stating the measure, or measures, to be so considered.]

The Committee of the Whole can do nothing except as authorized by the Assembly; and, if anything out of the usual order is to done,—as, limiting debate, or time, or the consideration to special features—it must be arranged before “going into committee.”

If not so done, debate is unlimited; and if any exigency arise, the committee must rise, and report to the

Assembly for instructions. Although the membership is the same the committee can neither make nor suspend rules.

Before "going into committee," the Chair designates a member, who is to serve as chairman of the committee, and yields his seat to such member.

The presiding officer of an Assembly cannot serve as Chairman of the Committee of the Whole; because the report is to be made to him. But, if any disturbance arises, or at any time, when circumstances will warrant it, he may interrupt proceedings and take the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE.

The chairman of the committee raps for order, and at once calls up the first measure to be considered; and if more than one, the others in their order.

The quorum in Committee of the Whole is the same as in the Assembly; if, at any time, there is no quorum, the Committee should rise and so report—whereupon the Assembly should adjourn or take a recess.

In Lodges, the chairman of the Committee of the Whole, should take a seat at the right of the presiding officer of the Assembly, for reasons which will suggest themselves to all Lodge members, mainly because of another class of "recognitions." In such case, the Chair, of course, should not vacate his seat.

Under the strict rule the only motions which can be used in committee of the whole—other than the amendatory motions—are “to rise” and “to adopt.”

It cannot commit because itself a committee. Nor postpone, because instructed to act and report. When, however, more than one measure is to be considered, it may take them up in its own order, and by failing to reach certain ones, in effect postpone them.

It cannot “lay on the table” because required to report back; nor “reconsider” unless at once—otherwise it will lose control. Debate being unlimited “the previous question” cannot, in the opinion of most modern writers, be moved; yet such is the frequent practice.

The motion “to adopt,” or “agree to,” is a misnomer, since it can do neither; it simply “agrees to” recommend the Assembly “to adopt.” Even the motion “to rise” (practically, to suspend business, or adjourn) may be withdrawn after being stated and before a vote thereon.

It is, therefore, well to remember that, before going into committee of the whole, special rules, governing the consideration of specific measures, should be adopted, if the saving of time be desired. Or, special rules may be adopted, by the Assembly, for general application, while in committee.

The committee can only sit during a meeting of the Assembly; hence, it may “rise” but not adjourn.

When the hour of adjournment of the Assembly is fixed, the committee must rise before the hour arrives.

MEASURES HOW CONSIDERED.

In considering a measure in committee of the whole, it is read by sections, or paragraphs, for amendments; and very rarely divided—the amendments being generally in regular order, without division. If no amendment is offered, each section, in its order, is deemed agreed to. Explanations may be made, but there should be no debate, if no amendments are proposed, since all are of one mind.

If amendments are offered and agreed to, other amendments may afterwards be made to “the body of the measure”—that is to any part of it, forward or backward; the rules in committee being quite lax as compared to those in the assembly itself.

When fully amended, the measure, as amended, is deemed “agreed to.” Whether amended or not, the measure is then declared “passed in committee”; which does not mean that it is adopted, or adopted as amended, but that it is to be “reported back, with a recommendation that it be adopted”; or that it be “reported back with amendments, and recommended for adoption, as so amended.” Or, “progress” may be reported.

The Clerk keeps no record, in the proper sense; but only a memoranda of amendments, etc., for the basis of a report. The yeas and nays cannot be called in committee; nor can any record be made of the individual acts of members.

When the committee so desires, a measure may be "reported back without recommendation"; or "with a recommendation that it be not adopted"; or "that it be recommitted to the committee on —," [or to a special committee,] with or without instructions, or any other proper recommendation. [In legislative practice, however, measures are frequently "recommended to pass," as a courtesy to the authors; and defeated later, by those making the recommendation.]

"RISING" AND "REPORTING."

When the business before the committee is completed, or when for any reason it is deemed best to proceed no further, the proper motion is, "that the committee rise and report"—the Committee of the Whole never "adjourns." The motion may also provide that the report should be one of "progress," in which case the form is "that the committee rise and report progress, and ask leave to sit again." In all cases, however, the report must show what measures have been disposed of, and how.

The committee having voted "to rise," its chairman yields the chair to the presiding officer of the As-

sembly, and at once reports the action of the Committee, as—

"The Committee of the Whole having considered [stating what] report the same back and recommend," etc.; "the committee also report back [stating what] with the recommendation," etc.

Or, "The Committee of the Whole respectfully report progress and ask leave to sit again."

A more formal report is—

"The Committee of the Whole Assembly have, according to order, had under consideration —— [describing what], and have directed me to report the same with [or without] amendments," etc.

The Report of the Chairman is the only entry of the committee's proceedings to be made on the minutes. The report at once becomes the property of the Assembly; but the proceedings of the committee cannot be questioned. "Even their doings sometimes escape the notice of the modern sovereign, the people."

The report is "received" without action, and may be "accepted," but is not to be approved or adopted. The measures reported upon, may then be considered and disposed of, in their order; or placed upon "orders of the day" for future consideration.

When considered, each measure, as amended in committee, is an "ordinary main motion," and subject to amendment, etc., unless otherwise provided for by special rule.

AVOIDING A REPORT.

An exception to the limitation of motions mentioned occurs when the committee, having considered a measure, desires to avoid action; or to "kill it in committee." This is done by a motion "that the chairman do now leave the chair," and is no reflection on the chairman. If adopted, the committee has no chairman, and cannot select one; it is dissolved abruptly, the presiding officer of the Assembly remaining in control. The committee is unable to report, because it has no chairman, who alone can report for it; and the measure, having been sent to the committee and not reported back, is dead.

DISTURBANCES IN COMMITTEE.

If any disturbance occurs, the committee is to "rise" and report the facts; whereupon substantially similar proceedings are to be had as though the disturbance occurred in the Assembly proper—since all witnessed it.

If the disturbance is very great, the presiding officer of the Assembly should at once take the chair and restore order; a condition of things which has occurred far too often in the national House of Representatives. When order is restored, the chairman of the committee again takes charge; and, unless members are "disciplined," no record is to be made of the hiatus.

INFORMAL CONSIDERATION.

A motion "to informally consider" a measure, is made when it is proposed to perfect it substantially as though the Assembly was in committee of the whole. When adopted, the rules applicable to such Committee apply (except that the chairman of the Assembly does not surrender his place), with such variations as are really necessary.

In brief, the main purposes are more freedom of debate and no record of votes, or of debate. When the Assembly has informally perfected the measure, the Chair states the question, "as informally agreed to;" the subsequent proceedings being substantially like those on a report of the Committee of the Whole—not as to details, but as to results.

While the measure is still amendable and debatable, the previous question is ordinarily moved, and the matter formally disposed of.

This method is seldom adopted when the Assembly is sure of a competent presiding officer in Committee of the Whole, in which an "unknown" chair may delay instead of expedite consideration; just as the Committee of the Whole is sometimes resorted to in the hope of getting a better presiding officer.

Only motions "to amend" and "to adopt" are in order during informal consideration; being substantially as in Committee of the Whole. Measures, how-

ever, are not "adopted," since no record is made; but they are put in satisfactory shape for adoption, as stated. If any motion, other than those just mentioned, as made and entertained, it puts a stop to "informal" action.

□ "In order to make debate in Committee of the Whole valuable, and to give each member a chance, there should be by rule, a limitation of time, and the five-minute rule of the House of Representatives is a very good one for practical purposes, either with or without general debate. General debate, if permitted, could most advantageously be limited to ten or fifteen minutes for each member."
—THOMAS REED.

"The object which a body of men assembled together has in view when it organizes, is to provide itself with means whereby it may express its opinions, facilitate and control its actions, and thereby accomplish the purpose of the meeting. The organization, therefore, should be adopted to the nature of the work to be done."—REED.

"In the absence of a rule to the contrary, a member may talk as often as he sees fit in Committee of the Whole. Nor is there any limit to the length of the speech."—CRISP.

"The only case where a member has a right to insist on anything is where he calls for the execution of a subsisting order of the Assembly."—JEFFERSON.

LESSON XXXV.

Nothing Tends More to Throw Power into the Hands of the Opposition than a neglect of, or departure from, the rules of proceeding.—ONslow.

SPECIAL ORDERS.

This topic was briefly discussed under the heading "Orders of the Day." When the hour for a "Special Order" arrives, all other business must at once give way, unless highly privileged. The Chair should call up the special order, without waiting for a member to do so; but if he fails, any member may do so as a matter of privilege—no vote is required.

Even when acting under suspension of the rules, a special order (made by unanimous consent, or without objection) has the right-of-way; but it may be postponed by a majority vote.

All rules providing for regular order are suspended by the operation of a special order; but the subject matter of a special order loses its privilege as soon as it is called up and may or may not be considered.

A motion to postpone a special order, and (in the same motion) to decide what business shall next be decided, is in order; and may be decided by a majority vote, even though the special order was unanimously made.

It may be that, when the designated hour arrives, the Assembly is not ready to act; in which case the "order" may be "discharged," and become "unfinished business;" or a new order may be made.

While a member on the floor may be interrupted by a call for the special order, he is generally allowed to proceed if likely to be brief.

If the order is reached, and not called up, it becomes a "dropped order," and the subject-matter, if to be considered at all, must be introduced anew. But an order, dropped for want of a quorum, becomes unfinished business; as does an order not reached for any cause.

Whatever is "commanded" by an Assembly is an "order;" facts, opinions and purposes are set forth in motions or resolutions. "The only case in which a member may absolutely insist on anything is when he demands the execution of a subsisting order. But the Assembly which made it, may amend or modify it."

HOW CALLED UP.

The special order loses its place if not called up promptly; and, therefore, the Chair requests the member who may have the floor to give way, the form being:

"The hour for the consideration of ——— has arrived; the gentleman will please be seated."

But, by consent, a brief delay may occur, [and "through the Chair," if no objection is made,] the Chair announcing:

"The special order is continued until the gentleman has concluded his remarks," [or, "until a vote is taken on the pending motion."]

If the Chair neglects calling the special order, it holds its place until "the gentleman has concluded"; or, if a vote is about to be taken, until it is taken.

But, not if another member is allowed, without objection, to speak.

Nor, if other business (not specially privileged) shall intervene.

If, however, the Chair announces that "the special order will continue until ———," and no objection is made, the order stands, no matter how far the time stated.

If one objection is made, the Chair at once puts the question: "Shall the special order be temporarily postponed, as stated by the Chair?"

Or, if the Chair has not so ordered, a motion may be made to the same effect; and put in substantially the same manner.

The "special order" itself (not the motion made the special order), cannot be so displaced as to permit another measure to be presented. But, when the special order has been called, the measure (and not the special order) is before the Assembly, and may be displaced in any manner allowable at the time it was made a special order.

The measure which was made the special order comes up in the same position it was in before such special order was made—but shorn of all except adhering motions,—and is subject to such action as the Assembly may deem proper. It may again be made a

special order for another time; in fact, there is no limit to the number of times it may be so made a special order, if the Assembly so wills.

ABUSE OF DEFINITE POSTPONEMENT.

The most flagrant abuse of the motion to "postpone to a day certain" (under the guise of making a special order) is by transforming it into "indefinite postponement" by fixing an "uncertain day" as the "day certain." When the final day of meeting has actually been fixed this can be guarded against, if the hour for adjournment has also been fixed;—otherwise the minority, on any particular measure, is practically powerless.

In a short-lived Assembly, which fixes no time for adjournment—but which (as a political convention) continues while business lasts and adjourns when it sees fit—the "day certain" may be days beyond the probable time of adjournment; but as no one can positively say when the Assembly will adjourn, the Chair will not presume to know.

In a continuous body, holding weekly, monthly or yearly meetings, the "day certain" may be fixed at some time during the then next session, if one-half or more of the members will "hold over,"—that is, if one-half or more will be "entitled to participate," regardless of the probability of their so doing.

RELATING TO RULES.

Motions relating to rules are inseparably connected with the rules themselves. It may again be stated that (subject to the law under which it acts) an Assembly can adopt any rules for its government which a majority may deem proper, regardless of conflicts with parliamentary law.

When a special rule (which may be "temporary" or "standing"), conflicts with parliamentary common-law, the latter must go to the wall; when a special rule has been adopted, it must be respected until amended or repealed.

Special rules are frequently necessary, and sometimes (as in legislative assemblies) they are numerous. They are not founded on custom, and need not even be reasonable; but they must be rules which do not infringe on private rights, nor contravene the laws of the state.

All rights not delegated are reserved by the majority, but the majority acts wisely in so framing its rules as to give the minority adequate protection; the majority of to-day may be the minority of to-morrow.

Even if the rules provide that a two-thirds vote (or other vote larger than a bare majority) shall be required to amend them they may be amended by the

majority if it so determines, unless prevented by a "higher law" than its own. In the language of Mr. REED:

"The Assembly cannot deprive itself of the power to direct its method of business; it is like a man promising himself that he will not change his own mind."

But an Assembly must enforce its own rule, requiring more than a majority vote in certain cases; because a bare majority may amend that rule at the proper time and in the proper way. While it is a rule, it must be respected.

Many so-called "special rules" are simply well-established principles of procedure, clothed in new language. Others are the outcome of necessity; rules absolutely unfitted for one assembly may be well-nigh indispensable in another. In some assemblies there is no occasion for the limiting of debate; while in others, little business would be transacted without so doing.

ORDER OF BUSINESS.

Every Assembly holding continuous meetings—whether from month to month, week to week, or day to day—should provide an "Order of Business," defining the order in which its business should be transacted. When this is not done, the minority are practically powerless; only such matters as interest the majority can be even taken up, if the chairman is in sympathy with the majority.

It matters little what the "order" is; but it should be such as to provide a proper heading for each class of business proper for the Assembly to pass upon. Among items which should always be included are: Reading of the Minutes; Reception of Communications and Bills; Reports of Officers and Committees; Financial Matters; New Business (not included under other headings); Unfinished Business; and, in Lodges, etc., Applications for Membership (including determination thereof), and Initiations.

In the absence of a rule to the contrary, "Unfinished Business" is the first in order after the reading of the minutes. Were it otherwise, it would never be "finished" in many assemblies; and especially in those of a legislative character.

Regardless of its place, the Chairman should require the Clerk to keep a list of all "unfinished business," instead of trusting to memory, as is so frequently done. No one thing is of greater importance to the average assembly; to neglect it is almost invariably a precursor to "slipshod" methods in the transaction of all business.

"The rules to be observed by members present during a debate are: (1) to keep their places; (2) to enter and leave with decorum; (3) not to cross the house irregularly; (4) not to read books, newspapers or letters; (5) to maintain silence; (6) not to interrupt."—**ERSKINE MAY**.

LESSON XXXVI.

The Will of the Majority is Often Defeated for the want of the general diffusion of, and familiar acquaintance with, correct forms of parliamentary procedure.—
JOSEPH B. BURLEIGH.

PETITIONS AND COMMUNICATIONS.

In legislative assemblies a petition must be presented by a member, who states its contents and moves that it be received. Ordinarily a formal vote is dispensed with; but an objection may be raised. When received a petition is to be acted upon in any business-like manner; the proper course being suggested by the petition itself.

If a petition is not "received," the member keeps it, and no record is to be made of its presentation, if disposed of by objection, before the question on reception is stated. The motion to receive may be laid on the table; if so, the petition does not go with it, since it has not been received.

The motion to receive is debatable. The language of the petition should be in all respects proper, since it is a breach of privilege to present one which is offensive; and the character of the petition may be determined from the general tenor of the language used. It is for the Assembly to determine whether a petition is proper to be received; but it should not be re-

jected unless on its face frivolous, irrelevant or impertinent.

The term "petition" covers a large class of papers, memorials and other communications, in which the Assembly is asked (or prayed) to do or not to do a thing; but it does not cover remonstrances. A petition prays for something; a remonstrance is a protest and has no prayer, and the rule is to refuse to receive a paper containing no prayer.

In minor assemblies, including city councils, lodges, etc., the common custom is to file all communications with the Clerk, who is to present them when the proper "order of business" is reached. But it is not his duty to read everything that may be so laid upon his desk. He should read all official communications, and all others which are unmistakably relevant.

Communications concerning which the Clerk is in doubt he should present, stating the subject-matter (not the contents), and await the action of the Chair, under direction of the Assembly. Those wholly foreign to the purposes of the Assembly, as well as all frivolous ones should be ignored.

When, as frequently happens, the Clerk, as such, receives letters from absent members—partly relating to business and the balance merely personal—the

business portions should be read, and the personal portions omitted. "The time of the Assembly is not to be frittered away on matters of no general interest."

CONFERENCE REPORT MOTIONS.

We have now considered all motions proper to be used in an Assembly which is complete in itself—except as they may be changed in name or form. But, when two or more assemblies do business on the legislative or fusion plan, other motions are found necessary, especially when reports of conference-committees are to be considered in a parliamentary manner.

The conference-report motions will be briefly explained—not because the average student will have any occasion to use them, but to enable him the better to understand "congressional proceedings," when the two houses are "at loggerheads" over a matter of public interest. The rules are somewhat bewildering at first sight; but readily mastered.

For convenience, we will suppose a measure pending in a Legislature. The Senate has passed a bill, which the House has amended, and it is again before the Senate. If the House amendments are agreed to, the "bill" is passed and becomes an "act." If not agreed to, the House is so notified, and if it "Re-

cedes," the bill becomes an act; or, it may make other amendments with a view to compromise, and again send the bill to the Senate.

The Senate is not disposed to "Recede;" and therefore properly votes to "Insist," and so notifies the House, and asks for a conference. The House selects three conferees to meet three who are selected in the Senate, and exchange views,—the "views" being as a rule, "instructions" from their respective bodies.

The Senate conferees cast one vote (determined by two of the three) and the House conferees another vote (determined in the same manner). When two votes are alike, the committee "agree;"—but plain agreement is only as to what they will recommend, they cannot bind the bodies they represent.

If they agree, their action is generally endorsed; and the bill becomes an act, after the proper motions are adopted. If they disagree, they so report, and generally recommend another conference; which, if agreed to, may or may not be composed of the same conferees.

The report is signed by all the conferees, and is first made to the body calling for the conference—in this case the Senate. It has precedence over all other questions, including a motion to adjourn (but not if a

vote is being taken, the journal being read, or the rules suspended), and after action thereon is sent to the House.

The conferees may report agreement, with or without amendment (but not so as to set aside any item already agreed upon). The report cannot be amended; it must be accepted or rejected as it stands.

The Senate may reject the report, and ask for still another conference; and (by another motion) instruct its conferees to ask those of the House to agree to the proposed amendment to the report; or the Senate may agree, and the House reject in like manner.

Sometimes a conference may agree on some things, and disagree on others, in which case the agreements may be ratified, and (the differences being reduced) another conference had to the others.

When a conference report is before an assembly, either of five motions are in order, having preference in the order stated: (1) To Concur, or Agree; (2) to Non-Concur, or Disagree; (3) to Recede; (4) to Insist; (5) to Adhere.

The motion "to Concur" is the proper one, where one assembly has sent a bill to the other which has been returned with an amendment to which the assembly is willing to agree,—whether before or after conference.

If ~~the~~ amendment is satisfactory in part the proper motions is, "to concur, with an amendment," [designating it]—which is not regarded as an amendment to the report; and if that amendment is agreed to by the other house the report would be adopted.

If the assembly desires unconditionally (for the time, at least) to reject the amendment, the proper motion is to "Non-Concur." This is in the nature of an ultimatum—"with a string to it."

A motion "to Concur" is in order when a motion to "Non-Concur" is pending. It is more direct; and, if lost, is a vote to non-concur. But a negative vote on "non-concur" would not concur, because it might be deemed best to concur, with an amendment.

A motion to "Non-Concur, with an amendment," has precedence over a motion to non-concur, but not over one to concur. If originally made and adopted, the matter would be disposed of; but not, if lost.

The motion "to Recede" is proper where the assembly has previously "non-concurred," or has "concurred, with an amendment,"—if the assembly is prepared to yield. Or, where the other assembly has indicated its intention not to yield.

It is parliamentary and sometimes necessary—although not considered courteous—for an assembly to go further than "non-concur" before at least two con-

ferences are held. But the other assembly not having "concurred," and the originating assembly—(the one in which the amendments in dispute arose)—not being willing to yield, the proper motion is to "Insist."

The motion "to Insist (as an ultimatum) is of higher rank than "non-concur;" and may be coupled with a request for still another conference, which, if agreed to, will leave the matter open.

When an assembly is fully prepared not to yield—even though the measure be defeated—the proper motion is "to Adhere"—in other words, "to stick"—and, if both assemblies so vote, the bill is lost. But, if one assembly asks for a conference after the other has voted "to Adhere" it is usual to grant it. It is understood that the assembly so asking it, is prepared "to recede," in whole or in part; and it is generally followed by an "unconditional surrender."

None of these motions are subject to amendment, except that the "proposed amendment," in a motion to "concur, with an amendment," may be amended. It suggests a modification to the measure, which of course opens up the whole matter.

The motions "to recede," "to insist," or "to adhere," may all be voted down, without disposing of the question; and the bill then be concurred or non-concurred in.

The conference-report motions are all debatable; but cannot be committed, nor postponed, nor laid on the table. They require prompt action; and courtesy to a co-ordinate assembly requires it also. But the previous question may be applied; because insuring prompt action.

The motion to recede is in order, even after the "previous question" has been ordered on a motion "to insist" or "to adhere." Courtesy to the other assembly demands an agreement, if possible, and with the least possible friction.

"Papers to be acted upon may be once read, upon the request of any member, as a matter of right; but when a member desires to read other documents, or have them read, he must obtain assent."—WAPLES.

"Members must not use harsh expressions about other members, must not impute motives, but must always attack arguments and not the men who make them."—CHAPMAN.

"The Assembly cannot deprive itself of the power to direct its method of doing business. It is like a man promising himself that he will not change his own mind."—REED.

LESSON XXXVII.

An Experienced Debater Will Seldom Lose Anything by Interruption; and an inexperienced one should not be subjected to loss or discomfiture by any such event.—“WARRINGTON.”

USE AND ABUSE OF MOTIONS.

As has sufficiently appeared, “To INTRODUCE A MEASURE,” a main motion is the only method. Sometimes, however, a committee is authorized to originate and report measures; but this is no exception to the rule. The subject-matter must have originated in a main motion, even though it has suggested something entirely different; and the subject-matter of the report—not the report itself—is an original main motion, moved and seconded by the committee.

In a certain sense, the instructions to the committee made a special rule suspending rules relative to the strict method of introduction.

TO SUPPRESS CONSIDERATION.

The motions used to Suppress Consideration of a Measure, are: “Objection to Consideration,” “Question of Order,” “Indefinite Postponement,” and “To Lay on the Table.”

A proposition may be unworthy of consideration, yet so worded as to be within the rule, even though

abused, improper or dilatory. "It may be intended, in an under-handed manner, to forestall another matter which the Assembly approves; or it may tend to expose confidential matters, create confusion or cause scandal."

The proper remedy, as we have seen, is "Objection to Consideration;" but if in doubt as to the necessary "two-thirds," the objector (if the Chair is in harmony with him) should raise the "Point of Order" that "the motion conflicts with the rules" (without stating them); or, that it "is improper because—" etc. In the one case, no reason is given, unless on appeal, and in the other, the grounds are stated.

The Question of Order can be raised at any time before a vote is taken; the motion "to Indefinitely Postpone," or "To Lay on the Table," may be made at any time before the measure is disposed of.

TO SUPPRESS THE MEASURE.

The motions adapted to this purpose have all been considered, viz: "Objection to Consideration," "Question of Order," "Indefinite Postponement," and "To Lay on the Table."

When the objection to the measure is, because it is impolitic, not because it is improper, neither form of objection should be used, because other methods—in

no way reflecting on the motion, but simply questioning its utility—are provided.

Ordinarily, the motion "To Lay on the Table" is preferable, especially as only a majority vote is required. Besides, it can be used to suppress the measure at any stage; as it can be made at any time before "The Previous Question" is exhausted; and, when exhausted, it will apply to the remains, if any.

The surest way is to interpose a motion "To Indefinitely Postpone," and, when that is stated, move "The Previous Question." If ordered, and "Indefinite Postponement" prevails, a motion "To Reconsider" that motion may be made, and, in turn, "Laid on the Table;" and the matter is "clinched."

TO MODIFY OR PERFECT.

The motions specially applicable to the perfecting of a measure need not again be enlarged upon. They are: "Amendatory Motions," "To Divide," "To Commit," "To Consider in Committee of the Whole," or "To Consider Informally," and to "Make the Measure a Special Order."

Amendatory Motions and Motions to Divide have been considered at length;—the latter is generally one of convenience, and practically used to "expedite," rather than to really "amend" or "perfect."

When a measure having a Preamble—as the “whereas” to a set of resolutions—is divided, the Preamble is to be considered last, because it must be made to conform to the amended text.

The other motions to perfect have been explained in detail.

TO EXPEDITE BUSINESS.

In a general sense all motions are presumed to “Expedite Business”—since all motions aid in disposing of it—but certain motions are specially so classed. They are: “To Suspend the Rules,” “To Take Up Out of Order,” “To Take From the Table,” “To Discharge a Committee,” “To Read Certain Papers,” and the “Special Order.”

To “Expedite Business,” that to which no one objects (when stated from the Chair) is considered ordered; as when a formal routine motion is made, and the Chair says:

“So ordered, unless objection is made.”

Or, “It will be taken as the sense of the Assembly if no objection is made.”

Or, “Are there any objections? The Chair hears none, and the motion is adopted.”

This method is commonly applied to the “reception” of reports; to a request for leave to withdraw a motion; or, to continue speaking; or, to interpose a

parliamentary inquiry. It is applicable to any declaration which the Chair could make if a vote was actually taken; but not if one member objects, or if the rules prescribe a certain method of voting on the class of measures or motions presented. "No objection" means absolute unanimity;—if not unanimous, a vote is necessary.

The motion "To Discharge a Committee From Further Consideration of a Subject," is an ordinary motion. It is not in the nature of one to suspend the rules, and suspend none; and it requires only a majority vote.

The Call for the "Reading of Papers" is always, ostensibly, to assist in "perfecting" a measure; and is an incidental motion which must be at once disposed of.

A motion "To Suspend the Rules," or a kindred motion, yields only to a privileged question.

No "expediting" motion can ordinarily be renewed the same day, in connection with the same question, nor can one be reconsidered, if business has intervened.

TO SUPPRESS DEBATE.

It has already been shown how, by the use (and sometimes by the justifiable abuse) of certain motions, debate (and to some extent the main motion) may be suppressed. The Motions to Suppress Debate—not

by indirection, but openly and avowedly—are “The Previous Question” and Motions Limiting and Closing Debate.

To prevent the minority, on any question, making improper use of the general rule for free debate (especially after a question has been fully discussed and the majority is prepared to act), it was found necessary to provide methods by which debate could be closed, and final action taken—motions which are designated to facilitate action and not to postpone or defeat it.

If the pending measure is interrupted by a “Question of Privilege” (which is a privileged question), and a motion is made to refer the latter, “the Previous Question,” if ordered, will cause a vote to be first taken on the “Motion to Commit” the Privileged Question.

If adopted “the previous question” will be exhausted; but, if not adopted, the vote on the “Privileged Question” exhausts “the Previous Question.” The pending measure will not be affected in either event; because, while a privileged question may supersede an ordinary main motion, it will not adhere to it.

However, when the privileged question has been disposed of, Another Call for “the Previous Question” may be applied direct to the pending main motion.

Of course, if Amendments Adhere to the Privileged Question, or other motions to which "the Previous Question" is applied, a vote must be taken on such amendments, in their order; but no other amendments can be offered.

A call, applied to the main motion, necessarily includes all amendments adhering to it even though not so stated. In other words, it includes, not only the motion to which it was ordered applied, but all intervening motions. It does not include motions which lie beyond; when applied to the main motion it includes the amendments, but when applied to amendments it does not include the main motion.

The "Previous Question" is not an instrument exclusively in the hands of the friends or opponents of a measure; a measure may be "talked to death," either by its friends or enemies, or both; and its friends are frequently compelled to use "the Previous Question" to save the measure from defeat.

"The motion to suspend the rules is authorized by the rules themselves. In the absence of a rule to the contrary, a bare majority may not suspend a rule, but may repeal it."—PETERS.

LESSON XXXVIII.

Eager as Listeners, Wishing They Dared Speak and Reproaching Themselves Afterward, they need only the confidence which comes from "knowing how" to become active and vital forces.—H. R. SHATTUCK.

TO DEFER ACTION.

Motions to Defer Action, are not necessarily "Dilatory Motions." The term "dilatory" applies to any motion when manifestly used for delay only. Delay may be desirable; and always is; when an Assembly proposes to perfect a measure itself (instead of through a committee), but is not prepared at the time to do so to advantage. _____

The measure may or may not be complicated; it may give rise to much or little debate; or, another measure, on the same subject, may need to be first disposed of; or, one on another subject may be deemed of more pressing importance. Hence the Assembly may prefer another time. _____

The motions to defer action are "To Postpone to a Day Certain," and "To Lay on the Table," and, incidentally, "To Commit." _____

They may be interposed before debate, or at any subsequent time when the floor can be obtained for the purpose.

If Postponed, it is essential that it be to a "Time Certain," and if the Assembly is not in session at the time fixed the "Special Order" will have the right of way when it does meet.

"Definite Postponement" is especially desirable, because the least likely to antagonize the friends of the measure, which, though delayed, thereby has a time fixed for its consideration. "Frequently it is made by the friends of the measure, who will know when to marshal its friends."

"Indefinite Postponement" may have been moved, and "the attacks repulsed by a motion of higher rank;" and, therefore, first voted upon. Or, the temper of the Assembly may make it prudent to defer action for a few hours, days or weeks.

The motion "To Lay on the Table" is the speediest method of deferring action known to parliamentary law; because neither amendable nor debatable. Its use generally results, not only in deferring action, but in the defeat of the measure to which it is applied; unless it be "Tabled Subject to Call."

Friends of a measure should use all proper measures to prevent it being "Tabled," since motions laid on the table almost always remain there. In the National House of Representatives they are never taken up.

Theoretically, it is often desirable to lay a measure on the table. Members may be willing to discuss it at another time; and yet not prepared to fix the time. If acting in good faith the tabling should be "Subject to Call;" but, whatever the object, the majority has a right to table the pending motion.

When, however, the motion "To Lay on the Table" is applied to an Incidental Motion, or to a Privileged Motion, it temporarily crowds out but does not otherwise affect the main measure. If adopted, it affects only the motion to which it was applied.

A Privileged Question Does Not Adhere to the Main Motion which it supersedes; and the latter is not affected. But, as in other cases, the main motion may (by an independent motion) be then laid on the table.

If an amendment is laid on the table it carries the main motion with it; because the amendment is not thereby disposed of, but delayed, and must be considered before the main motion is.

Sometimes the Mover of the Main Motion is Cut Off, by a motion "To Lay on the Table," before he can explain (much less debate) his motion. Almost invariably, the one moving to lay on the table, is in a

hurry; and often in so great a hurry as to fail to "await recognition."

In such a case the original mover, or other friend of the main motion, may obtain the floor by quickly and properly "addressing the Chair." If not given the floor he may claim it on the point of order that:

"The motion to lay on the table was not in order, because the member moving it was out of order;—the one now claiming the floor being the first to address the Chair."

Obtaining the floor in this manner might enable him to make such explanation (or such other motion), as would save his measure from defeat.

When the real purpose of the motion is, Not to Defer Action but to Suppress the Measure, much the fairer method is by "Objection to Consideration," if still in time; and, if not, to move "the previous question" and bring on a direct vote.

When the Minority is perverse, as when disposed to Talk Against Time, the majority is fully warranted in asserting its supremacy. Nor should it be forgotten that "fair play" is the best policy, and that majorities change;—the minority may remain until a sufficient number have left the hall to make it a majority. It may then take the question from the table and practically reverse the intended action, a majority being simply "more than one-half of those present," and authorized to act.

TO RESUME CONSIDERATION.

A Measure Deferred, by reason of being Tabled, Postponed, or Committed, may of course be resumed at the proper time.

If "Tabled," consideration must be resumed by "Taking Up," or by an independent motion, unless it was "laid on the table subject to call."

If "Postponed to a Day Certain," it comes up when the hour for the "Special Order" arrives.

If "Committed" it comes up whenever the committee presents its report; or whenever the committee is "discharged from further consideration" of it.

So, also, when it has been considered in Committee of the Whole; or Informally Considered.

The Business of an Assembly, under consideration at the time of Recess or Adjournment, does not lose its place (unless by the operation of a special rule). It is the first thing in order after reassembling; but, this will not prevent the reading of the journal; or other proceedings incidental to such reassembling.

When an Assembly is prepared to vote on Part of a Measure summarily (but desires to continue the consideration of the balance) the proper course it to move to Divide the Question, followed by "the Pre-

vious Question" on the part whereon the Assembly is ready to act; whereupon it may resume consideration of the balance.

Privileged Questions need no further comment. They include the call for Special Orders (or "Orders of the Day"); motions affecting the rights and privileges of the Assembly and its members; and motions relating to recess and adjournment.

To Annul Former Action recourse must be had to "Reconsideration," or to the motions to Annul, Rescind, or Expunge.

"Persons are commonly in such a hurry that they neglect to address the chair, and obtain the floor. In such a case another member may address the chair quickly; and, if not given the floor, make the point of order that he is the first one to address the chair, and that the other member, having the floor, was not entitled to make a motion."—ROBERT.

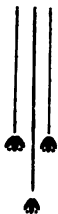
"If the chair allows an assembly to stray from the rules, any member may require business to be transacted in its proper order; and this, as of right."—HENDERSON.

"Unless an assembly had the right to limit debate, the hour of adjournment would frequently find nothing done."—MCGREGOR.



NOTE.—The Student who has Mastered the Foregoing Lessons is already well-grounded in parliamentary law. So well-grounded, that, in a few hours time, he may learn all the modifications and special rules necessary to enable him to participate, and “hold his own,” in the proceedings of any deliberative body—even a branch of a Dual-Assembly. Legislative Rules are based on parliamentary law; and when the latter is understood, the former are equally simple, and far more readily mastered. “The Class is Dismissed!”





PARLIAMENTARY
READY - REFERENCE TABLE.

See "Forms and Illustrations."



PARLIAMENTARY READY-REFERENCE TABLE.

WHEN A MOTION IN THIS COLUMN IS PENDING, the Characters under the various Headings will, in most cases, Answer Your Questions.

* Answer, † Answer, § Answer, ¶ Answer, "YES," "NO," "Limited," "Generally," "Unlimited." The FIGURES refer to NOTES at the END of the Table.

SEE NOTES. — SAME NUMB.	Objection to Consideration?	Needs Second?.	Amendable? ...	Divisible? ...	Debatable?	Committed, or Re-Committed?	Indefinitely Postponed?	Definitely Postponed?	Previous Question Apply?	Laid on the Table?	Reconsideration Applicable?	Opens up Main Question?
	1	2	3	4	5	6	7	8	9	10	11	12
ABUSE OF MOTIONS—See <i>Dilatory</i>	33											
ACCEPT REPORT—See <i>Report</i>												
ACTION—Motions to Defer, or Suppress	40, 41											
ADHERE—Conference Report motion.	27											
ADOPT—See <i>Minutes</i> , and <i>Reports</i>												
ADJOURN—To time already fixed.....	1, 2, 3, 4											
—To time named in motion	1, 2, 7											
—Sine Die, (to Dissolve,).....	1											
—To fix time to which (Ordinary,).....	1											
—To fix time to which (Privileged,).....	1, 2, 3, 7, 13											
—To fix time at which to.....												
AMEND.....	2											
—Amendment.....	2											
—After Debate is Closed	2											
—By Adding or Inserting.....	2											
—By Dividing	2, 7											

AMEND—By Striking Out	2	*	*	*	*	†	†	†	*	*	*	*
—By Striking Out and Inserting.....	2	*	*	*	*	†	†	†	*	*	*	*
—By "Substitute Amendment," ..	2, 7	*	*	†	†	†	†	†	†	†	*	*
—By Use of Word "Not,"	28	†	*	†	†	*	†	†	†	†	*	*
AMEND RECORD—See <i>Minutes</i>												
AMEND RULES—See <i>Rules</i>	38	†	†	*	†	*	*	*	*	*	*	*
AMENDED MOTION.....	10	†	†	*	†	*	*	*	*	*	*	*
AMOUNT—Blank. See <i>Blanks</i>		†	†	†	†	†	†	†	†	†	*	*
ANNUL—Rescind. See <i>Minutes</i>		†	*	*	*	*	*	*	*	*	*	*
APPEAL—Relative to Indecorum.....	2, 14, 18	†	†	*	†	*	†	†	*	*	*	†
—All other cases	2, 7, 14, 18	†	†	†	†	†	†	†	*	*	*	†
APPROVAL—See <i>Minutes</i> , and <i>Reports</i> ..												
ASSEMBLING—See <i>Adjourn</i>												
BLANKS—To fill, in Skeleton Motions ..	6, 7	†	†	†	†	†	†	†	†	†	*	*
BREACHES OF ORDER.....	30, 34											
BUSINESS—See <i>Order</i> , and <i>Priority</i>												
—See <i>Unfinished Business</i>												
CALL—MOTIONS—[See specific titles.]..	37	†	†	†	†	†	†	†	†	†	†	†
CALL TO ORDER—See <i>Order</i>												
CLOSURE—See <i>Adjourn</i> , and <i>Debate</i>												
COMMIT—Refer, or Re-Commit	2, 15	†	*	*	*	†	†	†	†	†	†	*
—With Instructions.....	2, 15	†	*	*	*	†	†	†	†	†	*	*

PARLIAMENTARY READY-REFERENCE TABLE.—CONTINUED.

[illegible]

CORRECTING FORMS—Chairman to.....	32	.....	.....	.....	.....
CORRECTING RECORD—See <i>Minutes</i>.....		.....	.....	.....	.....
DATE—Blank. See <i>Blanks</i>	6, 7	.....	.....	.....	.....
DEBATE—To Close.....	2, 19	.....	.....	.....	.....
—To Defer, or Suppress.....	42, 43	.....	.....	.....	.....
—To Extend.....	2, 19	.....	.....	.....	.....
—To Limit.....	2, 19	.....	.....	.....	.....
—See <i>Order, Disorder, and Leave to</i>.....		.....	.....	.....	.....
DEFINITE POSTPONEMENT.....	2, 16	.....	.....	.....	.....
DILATORY MOTIONS.....	33	.....	.....	.....	.....
DISCHARGING COMMITTEE.....	2, 8, 49	.....	.....	.....	.....
DISORDER AND DISCIPLINE.....	30, 34	.....	.....	.....	.....
DISSOLVE—See <i>Adjourn</i>	1	.....	.....	.....	.....
DIVISION OF THE ASSEMBLY.....		.....	.....	.....	.....
DIVISION OF THE QUESTION.....		.....	.....	.....	.....
—See <i>Amend by</i>.....		.....	.....	.....	.....
EJECTMENT.....	34	.....	.....	.....	.....
EMERGENCY MOTIONS.....	25	.....	.....	.....	.....
ERRORS—Clerical. Clerk to Correct..	32	.....	.....	.....	.....
—In Form. Chairman to Correct.....	32	.....	.....	.....	.....
EXCEPTIONS—General.....	26	.....	.....	.....	.....
—When “No Motion Pending,”.....	26	.....	.....	.....	.....

PARLIAMENTARY READY-REFERENCE TABLE.—CONTINUED.

WHEN A MOTION IN THIS COLUMN IS PENDING, the Characters under the various Headings will, in most cases, Answer Your Questions.

* Answers, † Answers, § "Limited," ¶ "Generally," "YES," † "NO." Answers, ¶ "Generally," "YES," † "NO." The FIGURES refer to NOTES at the END of the Table.

WHEN A MOTION IN THIS COLUMN IS PENDING, the Characters under the various Headings will, in most cases, Answer Your Questions.	SEE NOTES.	1	2	3	4	5	6	7	8	9	10	11	12
* Answers, † Answers, S "Limited," "YES," ‡ "NO," ¶ "Generally," The FIGURES refer to NOTES at the END of the Table.	SAME NUMB.	Objection to Consideration?	Needs Second?.	Amendable? ...	Divisible?	Debatable?	Committed, or Re-Committed?	Indefinitely Postponed?	Definitely Postponed?	Previous Question Apply?	Laid on the Table?	Reconsideration Applicable?	Opens up Main Question?
EXPLAIN—See <i>Leave to</i>	2, 26	..	..	..	..	..	..	..	..	..	..	..	..
—See <i>Personal Explanation</i>	26	..	..	..	..	..	..	..	..	..	..	..	..
EXPULSION.....	30	..	..	..	..	..	..	..	..	..	..	..	..
EXPUNGE—See <i>Minutes</i>	5, 12	†	*	*	†	*	*	*	*	*	*	*	*
FILIBUSTERING.....	33	..	..	..	..	..	..	..	..	..	..	..	..
FILLING BLANKS—See <i>Blanks</i>		†	†	†	†	†	†	†	†	†	*	*	*
GENERAL ORDERS—Taking Up.....		†	*	†	†	†	†	†	*	†	*	¶	*
—See <i>Orders of the Day</i>.....		..	..	..	..	..	..	..	..	..	..	..	..
INCIDENTAL MOTIONS—[See titles]...	8	†	*	*	†	†	†	†	†	†	*	¶	†
INCOMPLETE MOTIONS—Duty of Chair	32	..	..	..	..	..	..	..	..	..	..	..	..
INDECOBUM—See <i>Disorder</i> , and <i>Order</i> .	30, 34	..	..	..	..	..	..	..	..	..	..	..	..
INDEFINITE POSTPONEMENT.....	17	†	*	†	†	*	†	†	†	*	*	*	*
INFORMAL CONSIDERATION.....	35, 47	†	*	*	*	*	†	†	†	¶	†	‡	*
INQUIRIES—Parliamentary.....	26	..	..	..	..	..	..	..	..	..	..	..	..
—Questioning Officials, etc.....	26	..	..	..	..	..	..	..	..	..	..	..	..
INSIST—Conference Report motion...	27	†	*	†	†	*	†	†	†	†	†	¶	*

1 2 3 4 5 6 7 8 9 10 11 12

INSTRUCTIONS—See <i>Commit.</i>	15	†	*	*	†	†	†	†	†	†	*	*	*	*
JOURNAL—See <i>Minutes.</i>		†	*	*	†	†	†	†	†	†	*	*	*	*
LAY ON THE TABLE	218, 21	†	*	†	†	†	†	†	†	†	†	†	†	†
—Subject to Call	18	†	*	†	†	†	†	†	†	†	†	†	†	†
LEAVE TO—Explain	2, 26	†	†	†	†	†	†	†	†	†	†	†	*	*
—Make Personal Explanation	26	†	†	†	†	†	†	†	†	†	†	†	†	†
—Present Motion, out of reg. order	5, 8, 19	†	*	*	†	†	†	†	†	†	†	†	*	†
—Sit in Committee of the Whole	8, 19	†	*	†	†	†	†	†	†	†	†	†	†	†
—Speak, After Debate is Closed	5, 8, 19	†	*	†	†	†	†	†	†	†	†	†	*	†
—Speak, After Indecorum	8, 19	†	†	†	†	†	†	†	†	†	†	†	*	†
LIMITING DEBATE—See <i>Debate.</i>	5	†	*	*	†	†	†	†	†	†	†	†	*	†
MAIN MOTION—Ordinary		*	*	*	*	*	*	*	*	*	*	*	*	*
—Privileged	7	†	†	†	†	†	†	†	†	†	*	*	*	*
MEETING—To Close. See <i>Adjourn</i>		†	†	†	†	†	†	†	†	†	*	*	*	*
—Fix Time for Next. See <i>Adjourn</i>	1, 2, 3, 7	†	*	*	*	*	*	*	*	*	*	*	*	*
MINUTES—Accept, Adopt, or Approve		*	*	*	*	*	*	*	*	*	*	*	*	*
—To Amend		*	*	*	*	*	*	*	*	*	*	*	*	*
—To Annul, Rescind, or Expunge	5, 12	†	*	*	*	*	*	*	*	*	*	*	*	*
—“Taking Down” Acts and Words	30, 34	†	†	*	†	†	†	†	†	†	†	†	*	†
MISCELLANEOUS MOTIONS—[See titles]		†	†	†	†	†	†	†	†	†	†	†	†	†
MISSING WORDS—Clerk to Supply	32	†	†	†	†	†	†	†	†	†	†	†	†	†
MODIFY—Motions Designed to	39	†	†	†	†	†	†	†	†	†	†	†	†	†

PARLIAMENTARY READY-REFERENCE TABLE.—CONCLUDED.

WHEN A MOTION IN THIS COLUMN IS PENDING, the Characters under the various Headings will, in most cases, Answer Your Questions.	SEE NOTES. — SAME NUMB.	Opens up Main Question?											
		1	2	3	4	5	6	7	8	9	10	11	12
Answers, † Answers, § "Limited," ¶ "Generally," * "YES," † "NO," § "Limited," ¶ "Generally," * The FIGURES refer to NOTES at the END of the Table.		†	*	†	†	†	†	†	†	*	†	†	†
TAKE FROM THE TABLE.....	61	†	*	†	†	†	†	†	†	*	†	†	†
TAKE UP OUT OF ORDER.....	5	†	*	†	†	†	†	†	†	*	†	†	†
THE VOTE.....	66	†	*	†	†	†	†	†	†	*	†	†	†
TIME—Blank. See <i>Blanks</i>	6, 7	†	*	†	†	†	†	†	†	*	†	†	†
—Next Meeting. See <i>Adjourn</i>	1, 2, 3, 7, 13	†	*	†	†	†	†	†	†	*	†	†	†
TWO-THIRDS—Motions Requiring....	54	†	*	†	†	†	†	†	†	*	†	†	†
UNANIMOUS CONSENT—Or Vote.....	26, 50	†	*	†	†	†	†	†	†	*	†	†	†
UNFINISHED BUSINESS.....	57	†	*	†	†	†	†	†	†	*	†	†	†
USE OF WORD "NOT".....	28	†	*	†	†	†	†	†	†	*	†	†	†
USUAL SIGN—Sign of the Assembly...	59	†	*	†	†	†	†	†	†	*	†	†	†
VOTING METHODS.....	59	†	*	†	†	†	†	†	†	*	†	†	†
WITHDRAWAL OF MOTION.....	2, 3, 6	†	*	†	†	†	†	†	†	*	†	†	†
WORDS—Missing. Clerk to Supply...	32	†	*	†	†	†	†	†	†	*	†	†	†
—And Acts. "Taken Down".....	30	†	*	†	†	†	†	†	†	*	†	†	†
YEAS AND NAYS—Roll-Call.....	67	†	*	†	†	†	†	†	†	*	†	†	†
YIELDING THE FLOOR.....	36	†	*	†	†	†	†	†	†	*	†	†	†

NOTES.—SEE READY-REFERENCE TABLE.

- 1.** May be Moved Without a Quorum.
- 2.** May be Moved, When Another Question is Pending; but not to interrupt a member.
- 3.** May be Moved While Another Has the Floor; interrupting him for the purpose.
- 4.** Cannot be Amended; unless it means the dissolution of the Assembly.
- 5.** Requires a Two-Thirds Vote. [See Rule 54].
- 6.** Need Not Be Recorded; and, as a rule, should not be.
Debatable, by Sufferance, or permission of the Chair; not of right.
- 8.** Questions Incidental to Motions before the Assembly take precedence; and are to be first acted upon.
- 9.** No One Can Claim the Floor against a question of consideration, if properly presented; that is, when first introduced.
- 10.** Cannot be Withdrawn by Mover. It is no longer his motion.
- 11.** May be Entered on Minutes, without being actually moved in session.
- 12.** Previous Notice is Generally Necessary; but not by strict rule.
- 13.** Undebatable, When Another Question Pending.

PARLIAMENTARY READY-REFERENCE TABLE.—CONTINUED.

WHEN A MOTION IN THIS COLUMN IS PENDING, the characters under the various headings will, in most cases, Answer Your Questions.

* Answers, † Answers, S Answers, ¶ Answers, "YES," † "NO," S "Limited," ¶ "Generally," The FIGURES refer to NOTES at the END of the Table.

WHEN A MOTION IN THIS COLUMN IS PENDING, the Characters under the various Headings will, in most cases, Answer Your Questions.	SEE NOTES.	1	2	3	4	5	6	7	8	9	10	11	12	Opens up Main Question?	Reconsideration Applicable?	Laid on the Table?	Previous Question Apply?	Definitely Postponed?	Indefinitely Postponed?	Committed, or Re-Committed?	Debatable? ...	Divisible?	Amendable? ...	Needs Second?	Objection to Consideration?
* Answers, + Answers, S "Limited," "YES," + "NO," S "Generally."	SAME NUMB.																								
The FIGURES refer to NOTES at the END of the Table.																									
OBJECTION—None. "Silent Assent."	26, 50																								
——Point of Order. See <i>Questions of</i>	.....																							
OFFENCES AND PENALTIES.....	30, 34																								
ORDER OF BUSINESS.....	57																								
ORDERS OF THE DAY—To Fix.....	7		*	*	*	¶	‡	‡	‡	‡	*	*	*		*										
——To Take Up.....	3		‡	‡	‡	‡	‡	‡	‡	‡	*	*	*		*										
PARLIAMENTARY INQUIRIES.....	26																								
PARLIAMENTARY SUGGESTIONS.....	46																								
PERSONAL EXPLANATIONS.....	26																								
PETITIONS AND COMMUNICATIONS.....	29																								
PLACES—Blank. See <i>Blanks</i>	6, 7		‡	‡	‡	‡	‡	‡	‡	‡	*	*	*		*										
POINTS OF ORDER—See <i>Questions of</i>			‡	‡	‡	‡	‡	‡	‡	‡	*	*	*		*										
POSTPONE—Action. Motions to.....	40																								
——Debate. Motions to.....	42																								
——Definitely.....	2, 16		‡	*	*	‡	*	‡	‡	‡	*	*	*		*										
——Indefinitely.....	17		‡	*	*	‡	*	‡	‡	‡	*	*	*		*										

23. Cannot be Reconsidered after being actually withdrawn; being no longer under control of the Assembly.

24. Needs No Motion. It comes up, of right, when the allotted time is reached.

25. Very Highly Privileged; the rule varies, somewhat, according to the "emergency."

26. Explanations, etc., are Exceptions to the Rule that nothing is to be considered when no motion is pending. Not being motions, suspension of the rules is required; and, generally, presumed.

27. Conference-Report Motions are distinctively of the dual-assembly order; but they are sometimes used between separate conventions, when contemplating "fusion," or other co-operation.

28. Cannot be Inserted or Struck Out, when it simply reverses the order of the vote; but, may be, if the proposition itself is changed thereby.

29. Not to be Read, unless comporting with the purposes of the Assembly, unless it shall so direct.

30. Disorderly Conduct (while the Assembly is in session) may be summarily punished by reprimand, suspension, or expulsion. The Assembly, knowing the facts, need not follow formal trial-proceedings; but, if it acts, it must act at once—delay in acting, condones the offence.

31. The Mover Controls His Motion, and may modify or withdraw it, regardless of the wish of the seconder, at any time before it is stated by the Chair; and may withdraw it, as of right. After it is stated, it is the property of the Assembly, and can only be withdrawn by consent.

PARLIAMENTARY READY-REFERENCE TABLE.—CONTINUED.

WHEN A MOTION IN THIS COLUMN IS PENDING, the Characters under the various Headings will, in most cases, Answer Your Questions.	SEE NOTES.	SAME NUMB.													Opens up Main Question?	Reconsideration Applicable?	Laid on the Table?	Previous Question Apply?	Definitely Postponed?	Indefinitely Postponed?	Committed, or Re-Committed?	Debatable? ...	Divisible?	Amendable? ...	Needs Second?	Objection to Consideration?		
			1	2	3	4	5	6	7	8	9	10	11	12														
RECONSIDER—Notice of Motion to...3		11, 21
—When Motion To, is Tabled....		18, 21	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	
RECORDS—See <i>Minutes</i>.....		..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
RENEWAL OF MOTION.....	62	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
REPORT OF COMMITTEE—To Receive..	7	..	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	
—To Accept, Approve, or Adopt..	..	..	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
—To Amend.....	..	..	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
—“Majority” and “Minority”.....	65	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
RE-NUMBER SECTIONS, ETC.—Clerk to	32	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
REPRIMAND—Penalty.....	30	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
RESIGN, ANNUL, OR EXPUNGE,.....	5, 12	..	†	*	*	†	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
RESOLUTION—Same as Main Motion..	64	..	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
RESOLVE—Into Committee of Whole	..	..	†	*	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†
RESUMPTION OF BUSINESS.....	57	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
RISE—In Committee of the Whole....	63	..	†	*	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	†	
ROLL-CALL—“Yeas and Nays”.....	67	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

38. A Motion to Amend the Rules, is not an amendment, in a parliamentary sense, but an original main motion. Fair play demands that previous notice be given.

39. The Motions Used to Modify or Perfect a Measure, are: To amend, to commit, and parliamentary suggestions. Other motions simply expedite or defer action.

40. The Motions to Defer Action, are: Definite postponement, and to lay on the table.

41. To Suppress Action, objection to consideration is resorted to when a measure is first introduced. Later, the proper motions are: Indefinite postponement, and to lay on the table.

42. To Defer Debate, the motions used are: Postponement to a time certain, to commit, to consider in committee of the whole, or to lay on the table, subject to call.

43. To Suppress Debate, resort must be had to the previous question, or to motions limiting the time.

44. To Consider a Question a Second Time, reconsideration is generally the proper method; but, at times, a renewal of the motion is a better one.

45. The Non-Amendable Questions are: To lay on the table, the previous question, to indefinitely postpone, incidental motions, and simple adjournment.

46. Parliamentary Suggestions, while Not Motions, are allowed because tending to expedite business. One member "suggests" to another, through the Chair, how a motion may be modified to advantage.

NOTES.—SEE READY-REFERENCE TABLE.

1. May be Moved Without a Quorum.

2. May be Moved, When Another Question is Pending; but not to interrupt a member.

3. May be Moved While Another Has the Floor; interrupting him for the purpose.

4. Cannot be Amended; unless it means the dissolution of the Assembly.

5. Requires a Two-Thirds Vote. [See Rule 54].

6. Need Not Be Recorded; and, as a rule, should not be.

Debatable, by Sufferance, or permission of the Chair; not of right.

8. Questions Incidental to Motions before the Assembly take precedence; and are to be first acted upon.

9. No One Can Claim the Floor against a question of consideration, if properly presented; that is, when first introduced.

10. Cannot be Withdrawn by Mover. It is no longer his motion.

11. May be Entered on Minutes, without being actually moved in session.

12. Previous Notice is Generally Necessary; but not by strict rule.

13. Undebatable, When Another Question Pending.

14. When Tabled, the Chair is Sustained; a tie-vote sustains the Chair.

15. Opens Up Main Question for Discussion; but, if "instructions" are included, debate is to be confined to the proposed instructions, and the propriety of commitment.

16. Debate Limited to Question of Propriety of Postponement.

17. An Affirmative Vote Being a Final Negative of the entire measure, the main motion is open for discussion.

18. Cannot Be Reconsidered, if decided affirmatively. If a motion to reconsider is tabled, the subject matter is not affected thereby; but the motion tabled, is ended. So, also, with an appeal; when tabled, the Chair is sustained.

19. Methods of Consideration may be reconsidered; but not after consideration, as determined upon, has commenced.

20. Cuts Off Debate and Forces a Vote; but, on the pending motion only, unless other motions were included in the call. It may be made to reach the main motion by including all intervening motions, in their regular order.

21. Notice of Motion to Reconsider suspends action, under the motion proposed to be reconsidered, until a vote thereon is reached. If the motion to reconsider is tabled, reconsideration is negatived, and debate thereon ended. The motion opens up the entire question for discussion, if such question was, in itself, debatable.

22. An Affirmative Vote on Motion to Take From the Table cannot be reconsidered; but the main motion may be again tabled.

23. Cannot be Reconsidered after being actually withdrawn; being no longer under control of the Assembly.

24. Needs No Motion. It comes up, of right, when the allotted time is reached.

25. Very Highly Privileged; the rule varies, somewhat, according to the "emergency."

26. Explanations, etc., are Exceptions to the Rule that nothing is to be considered when no motion is pending. Not being motions, suspension of the rules is required; and, generally, presumed.

27. Conference-Report Motions are distinctively of the dual-assembly order; but they are sometimes used between separate conventions, when contemplating "fusion," or other co-operation.

28. Cannot be Inserted or Struck Out, when it simply reverses the order of the vote; but, may be, if the proposition itself is changed thereby.

29. Not to be Read, unless comporting with the purposes of the Assembly, unless it shall so direct.

30. Disorderly Conduct (while the Assembly is in session) may be summarily punished by reprimand, suspension, or expulsion. The Assembly, knowing the facts, need not follow formal trial-proceedings; but, if it acts, it must act at once—delay in acting, condones the offence.

31. The Mover Controls His Motion, and may modify or withdraw it, regardless of the wish of the seconder, at any time before it is stated by the Chair; and may withdraw it, as of right. After it is stated, it is the property of the Assembly, and can only be withdrawn by consent.

32. The Chairman Should Frame Incomplete Motions (when fully understood) in proper form in stating the same; and the Clerk should enter them in the form stated. When words are missing, or sections require renumbering, it is the duty of the Clerk to attend to it; but only when the corrections are wholly "clerical," and do not change the sense.

33. "The Chair Should Not Permit a Few Factious Persons to use parliamentary forms with the evident object of obstructing business." He should refuse to entertain a dilatory motion; but should entertain an appeal, and let the Assembly decide. "If sustained, by a large majority, he can afterwards refuse to entertain even an appeal made by the faction, while they are continuing their obstruction."

34. If Members, or Others, Grossly Violate the Rules of propriety, and the preservation of order demands it, they may be ejected from the hall. The law will justify the use of whatever force is necessary.

35. It is Often Advisable, before going into Committee of the Whole, to make an order limiting debate, as otherwise it is unlimited. So, also, when a matter is to be Informally Considered; the general rules being similar to those in Committee of the Whole.

36. A Member Who "Yields the Floor" ("through the Chair," but not otherwise,)—for an inquiry, suggestion, or privileged motion, at once regains it, after the interruption to which he gives way; but, not if he gives way for a speech by another, unless yielding part of a "certain time" allotted him for debate.

37. Call-Motions, as a general proposition, need no second; the purpose being to ask that the Assembly transact business in accordance with its rules, whether special for the occasion or not, and to expedite business.

38. A Motion to Amend the Rules, is not an amendment, in a parliamentary sense, but an original main motion. Fair play demands that previous notice be given.

39. The Motions Used to Modify or Perfect a Measure, are: To amend, to commit, and parliamentary suggestions. Other motions simply expedite or defer action.

40. The Motions to Defer Action, are: Definite postponement, and to lay on the table.

41. To Suppress Action, objection to consideration is resorted to when a measure is first introduced. Later, the proper motions are: Indefinite postponement, and to lay on the table.

42. To Defer Debate, the motions used are: Postponement to a time certain, to commit, to consider in committee of the whole, or to lay on the table, subject to call.

43. To Suppress Debate, resort must be had to the previous question, or to motions limiting the time.

44. To Consider a Question a Second Time, reconsideration is generally the proper method; but, at times, a renewal of the motion is a better one.

45. The Non-Amendable Questions are: To lay on the table, the previous question, to indefinitely postpone, incidental motions, and simple adjournment.

46. Parliamentary Suggestions, while Not Motions, are allowed because tending to expedite business. One member "suggests" to another, through the Chair, how a motion may be modified to advantage.

47. The Only Motions That Can Be Made During Informal Consideration, are: To amend, and to adopt. If others are entertained, consideration is no longer "informal."

48. If Several Measures are to be Considered, some may be "laid over," or postponed to "a more convenient season."

49. "Discharge" Means "Relieved From Further Consideration;" not dissolving the committee, unless it was appointed for the specific measure.

50. General or Silent Assent is where the Chair declares a thing done because no one objects; if one objects, a vote must be taken. "Unanimous consent" generally requires a vote.

51. Incidental Motions are those arising out of other questions, and must first be disposed of.

52. Privileged Motions are so called because of supposed greater importance; for which reason they have "the right of way."

53. Subsidiary or Secondary Motions are designed to modify or perfect the main motions, and to aid in disposing of them.

54. The Motions Requiring a Two-Thirds Vote (because they are unusual) are: To amend the rules, (of which previous notice should be given); to suspend the rules; to take up or do anything out of regular order; to annul, rescind or expunge; and objection to consideration.

55. When a Member is Disorderly, and subject to discipline, the Chair "names" him to the Assembly, for discipline.

56. Nominations Are Not Limited in Number. Whether in the form of motions or suggestions, they are to be put viva voce, in the order in which they are made.

57. When a Measure is Pending at Time of Adjournment, it is the first thing in order, after reading the minutes, at the next meeting, unless a special rule says otherwise. Each Assembly should have an "Order of Business;" when none is provided, "Unfinished Business" is first in order.

58. Lengthy Motions, Not Easily Stated by the Chair, or recorded by the Clerk, must be in writing. Short motions need not be, unless the Chair requires it; and routine motions are always oral.

59. Voting is Ordinarily by Silent Assent, or by the viva voce method; the show of hands being used for the purpose of division, and the ballot for the election of officers and members, and for the nomination of candidates, to be voted for by others. The so-called "usual sign," used in lodges, is a variation of the "show of hands."

60. Should Not Be "Perfectured" until the measure proper is in shape; so that it may conform thereto.

61. Is An Ordinary Main Motion, shorn of some of its privileges.

62. Motion, When Withdrawn, is As Though Never Made; may be renewed, but not on same day. A motion, withdrawn by mover, may at once be renewed by seconder.

63. To "Rise" is Equivalent to Adjourn; a Committee of the Whole cannot adjourn, because the Assembly is still in session.

64. A Resolution is a Motion with a Higher Sounding Title, because of supposed greater importance.

65. A Minority Report Has No Rights, as of right, the majority report being the report of the committee. But an assembly may receive a minority report, and may substitute it for the report proper.

66. A Tie-Vote Defeats the Motion; and, on an appeal, the Chair is sustained, the appeal being a motion to overrule the Chair.

67. Roll-Call, or "Yeas and Nays," can only be demanded by a majority of those present; those not joining in the demand to be counted in the negative.

68. The Committee of the Whole Cannot Appoint a Sub-Committee. It meets while the Assembly is in session, and can do nothing elsewhere. Ordinary committees may appoint sub-committees; to report to the committee, not to the Assembly. The Assembly, as such, knows of no sub-committees.

"The right of an assembly to determine its methods of procedure cannot be questioned; but, the rights of the minority must be respected, and no unusual procedure permitted by a bare majority vote."—HAROLD.

"The Chairman should first recognize the mover of a proposition; not because of right, but because time may be saved by allowing him first to explain it."—NORTON.

INDEX.

SEE "FORMS, EXAMPLES AND ILLUSTRATIONS."

NOTE.—See "Parliamentary Ready-Reference Table," and "Notes," immediately preceding Index, for Answers to Over One Thousand Questions. When in doubt, the Table will respond to: Will Objection to Consideration Apply? Does it Need Seconding? Is it Amendable? Is it Divisible? Is it Debatable? Can it be Indefinitely Postponed? Or, Committed, or Re-Committed? Or, Definitely Postponed? Or, Laid on the Table? Or, Reconsidered? Can the Previous Question be Ordered? Does it Open the Main Question?

	Page.
ABSURDITY—In Motion. Amendment May Magnify.....	93
ABSURD MOTION—To be Ruled Out.....	10, 93
ABUSE—Of Amendatory Motions.....	93-99
——Of Motions.....	93, 243, 273, 285-297
——Of Privilege.....	97-116
ACCEPTING REPORT—See "Reports of Committees".....	
ACCLAMATION—See "Voting,".....	
ACTING CHAIRMAN—See "Chairman".....	103, 105
ACTION—By Assembly. Begins with Motions.....	1
——First Step: Making the Motion.....	3
——Second Step: Seconding the Motion.....	14
——Third Step: Stating the Question.....	16
——Fourth Step: Consideration.....	22
——Fifth Step: Putting the Question.....	22
——Voting is Not a Step, but Action Itself.....	41
——Motions to Defer.....	292
ACTS AND WORDS—When "Taken Down." See "Clerk."..	
ADDITION—See "Amendment by,".....	
ADHERE—To "Stick." Conference Report Motion....	282, 283,
ADHERING AMENDMENTS.....	78

[See, Also, "Ready-Reference Table," and "Notes."]

	Page.
ADJOURNMENT	202-209
——By Chairman.....	109, 210, 211
——By Less than Quorum.....	109, 208, 209
——Effect of; on Unfinished Business.....	209
——Emergency	209-211
——Fixing Time for.....	206
——Fixing Time for Re-Assembling.....	205
——To Time Already Fixed.....	202
——To Time Named in Motion.....	204
——When a Motion Fixing Time for, May Be Recon- sidered	204
——When Member to "Take Bit in His Teeth".....	208
——When Motion For, Renewable.....	203
——When Motion for, Not in Order.....	203
——When Notice of Reconsideration of Another Motion Made, While Pending.....	203, 209
——When Sine Die; to Dissolve Assembly.....	205, 207
——When Vote on, to be Ignored.....	205
ADOPT—See "Minutes," and "Reports,".....	
AGREE—To Concur. Conference Report motion.....	281
AMENDATORY MOTIONS—[See Specific Titles.].....	45-89, 159
——Abuse of.....	92, 99
——Acted On, Before Main Motion.....	45
——Adhering.....	45, 78
——Applicable, to What Motions. [See Table].....	159
——Classified	49
——Contradictory. May be.....	47
——Debatable, Only When Main Motion Is.....	48
——Debate on; Limited to the Amendment.....	48
——Germane; Must be.....	47, 94
——Hostile.....	95, 97
——How Made.....	46
——How Stated.....	50, 54

[See, Also, "Ready-Reference Table," and "Notes."]
Page.

AMENDATORY MOTIONS—CONTINUED	
—How Put.....	89
—Immediate Vote On; the Strict Rule.....	73
—Inconsistent. May be.....	47
—May be Withdrawn, by Consent of Assembly....	15, 187
—May Be Withdrawn, by Mover; When.....	15
—May Magnify Absurdity in Main Motion.....	93
—May Substitute Praise for Censure, etc.....	95
—Must be Moved, While Main Motion Pending.....	46
—Must be Seconded; Generally.....	15
—Negative. See "Use of Word Not,".....	87
—Preamble and Proviso.....	162
—Primary and Secondary.....	45-61
—Proposed. Notice of, Permissible.....	47
—Purpose of; to Modify or Perfect.....	46
—Reconsideration of.....	217
—Seconder of. Consent of Not Needed for Withdrawal	15, 187
—Seconder of. May Renew, if Withdrawn.....	15
—Striking Out All After Enacting Clause.....	62
—Striking Out Entire Section.....	58
—Trivial	93
—Two Only, Pending, at One Time.....	45
—Voted On; in Reverse Order to Moving.....	89
—"What is Done, Must Stay Done!".....	63
—When Modified, Second May be Withdrawn.....	15
—When Not to be Recorded.....	13
—When Ruled Out; May be in Order Later.....	59, 75
—When Withdrawn at Once; No Record Made.....	13
—"Words Inserted, Must Stay Inserted!".....	53
—"Words Struck Out, Must Stay Out!".....	54

AMENDING MINUTES—See "Minutes,"

AMENDING RULES—See "Rules,"

[See, Also, "Ready-Reference Table," and "Notes."]
Page.

AMENDMENT BY ADDITION—Or Inserting.....	49-53
———"Words Inserted, Must Stay Inserted!".....	53
——Other Words Cannot be Added to Primary Amend- ment	50, 53
——But, May Be, by a New Primary Amendment.....	51
AMENDMENT BY DIVISION.....	68-76
——Common, but Improper Use of.....	70
——Delaying Vote on Divisions.....	70, 73
——"Divisions Must Make Sense!".....	76
——Frequently Inadvisable.....	79
——Proper Use of.....	69
——Strict Rule Requires Immediate Vote.....	73
——"What is Done, Must Stay Done!".....	76
——See "Division of the Question".....	
AMENDMENT BY ELIMINATION.....	54-60
——Old Time and Modern Forms	54
——Striking Out Entire Section.....	58
——"Words Struck Out, Must Stay Out!".....	54
——Striking Out All After Enacting Clause.....	62
AMENDMENT BY STRIKING OUT AND INSERTING.....	61-67
——Combination of "Strike Out" and "Insert".....	61
——Apparent Exception to "Stay Done" Rule.....	63
——When Divisible.....	62
AMENDMENT BY SUBSTITUTION.....	77, 78
——Substitute Motion, in the Guise of an Amendment..	77
——Substantially, to "Strike Out and Insert".....	78
——See "Substitute Motion,".....	
AMENDMENT OF PARAGRAPHS, SECTIONS, ETC.....	61, 68
——Paragraphs Should be "Perfected" in Their Order..	69
——Should Not be Voted On, Until All are Perfected	69
——See "Consideration," and "Substitute Motion,"....	

[See, Also, "Ready-Reference Table," and "Notes."]
Page.

COMMITMENT.....	163-165, 240-244
—Abuse of	243
—Cannot Be Postponed Because More Direct.....	164
—Includes Measure and Adhering Amendments.....	163, 241
—May Include Instructions to Committee.....	163, 242
—Motion "that Committee Be Appointed to—," Not.....	164
—Purpose, and Benefit of.....	240
—Remedy for Abuse.....	244
—To Committee: "Referred," or "Committed".....	240
—To Committee, a Second Time: "Re-Committed".....	240
—To Mover (Not Withdrawn): "Referred Back".....	240
COMMON ERRORS.—In Reports	259
COMMUNICATIONS—See "Petitions.".....	
CONCUR—To Agree. Conference Report motion.....	281
CONDEMNATION—Substituted for Praise.....	95
CONDITIONAL TABLING.....	179
CONDONEMENT—Of Disorderly Conduct.....	150
CONSIDERATION.....	2, 20, 62
—By-Laws, etc., by Sections.....	238
—By Paragraphs.....	238
—Informal. See "Informal Consideration.".....	
—Methods of. See "Methods of Consideration.".....	
—Motions to Defer.....	292
—Motions to Resume.....	296
—Motions to Suppress.....	289-290
—Objection to. See "Objection to Consideration."..	
CONFERENCE REPORT MOTIONS.....	279, 284
—Procedure.....	279
CONTEMPT—See "Questions of Order.".....	
CONTRADICTORY—Amendments Permitted	47
—Motions Ruled Out.....	79

[See, Also, "Ready-Reference Table," and "Notes."]
Page.

ASSEMBLIES—CONTINUED	
——Legal; City Councils, Legislatures, etc.....	102
——Lodges, Are Practically Legal.....	102
——Punishment of Refractory Members.....	145
——Representative; Delegate Conventions, etc.....	101
——Single or Dual. [See Introduction.].....	
——Voluntary; Mass Meetings, Local Gatherings, etc... 101	
——When Organized, May Adopt Special Rules.....	100
ASSENT—See "Silent Assent,".....	
AVOIDING A REPORT—In Committee of the Whole.....	269
AUTHORITIES—See "Opinions of Experts".....	
AYES AND NAYS—See "Roll-Call.".....	
BALLOT VOTING.....	32-36
——Blanks Not to be Counted.....	33
——Clerk Cannot Vote for Assembly; When.....	32
——Formal and Informal Ballot.....	35
——"Secret Ballot" Cannot be Delegated.....	32
——Tellers. Duties and Report of.....	35
——See "Voting".....	
BLANKS—Filling; in Skeleton Motions.....	79-85
——Amounts.....	80
——Dates.....	82
——Names and Places.....	83
——When Filled; Motion is "Completed".....	84
BOARDS—Directors' Meetings. Rules Modified.....	42
BREACH OF ORDER—See "Questions of Order".....	
——To Applaud or Hiss a Member.....	113
——To Cast Reproach on Grand Officers.....	113
——To Cross the Hall Unnecessarily.....	113
——To Impute Unworthy Motives.....	113
——To Indulge in "Loud Whispering".....	113
——To Interrupt a Member Who Is in Order.....	112

[See, Also, "Ready-Reference Table," and "Notes."]
Page.

BREACH OF ORDER—CONTINUED	
——To Question Ruling, if No Appeal Taken.....	112
——To Refer to Committee Proceedings.....	113
——To Reflect on Words Used in Former Debate.....	113
——To Refuse to Put a Proper Motion.....	112
——To Stand When Seats are Provided.....	113
——To Use Contemptuous Language.....	113
——To Walk Between Chair and Speaker.....	113
——See "Improprieties".....	
BUSINESS—How Introduced	3, 285
——Conducted in Orderly Manner.....	125
——Obstructing.....	98
——Order of.....	275
——Priority of.....	276
——Resume. Motions to.....	296
——Rules Relating to.....	274
——To Expedite. Motions to.....	288
——Unfinished.....	194, 276
"BY COURTESY"—Notwithstanding the Rule	6
CALL—See "Division of the Assembly"	
——For "Question! Question!" Highly Improper.....	128
——See "Orders," and "Previous Question.".....	
——See "Reading" and "Roll-Call".....	
CALLED TO ORDER—Meeting. See "Organization."	
——Chair. See "Chairman".....	
——Member. See "Questions of Order".....	
CALLING CHAIR TO ORDER	129
——Any Member May Put Question.....	129
——"Shall the Chair Proceed?".....	129
——Vice-Chairman, or Clerk Should Put Question....	129
CANDIDATE—Rights of	25
——If One Only.....	26

[See, A. so, "Ready-Reference Table," and "Notes."]
Page.

CASTING VOTE—See "Chairman".....	
CENSURE—See "Questions of Order".....	
CHAIRMAN—Accountable to Assembly.....	129
——Answering Inquiries.....	126
——Assembly's Representative.....	129, 209
——Casting Vote.....	38
——Election of. See "Organizations".....	
——Decide Result. When No Member Votes.....	39
——General Duties of. [See Text.].....	
——How Addressed.....	3
——May Adjourn Assembly; When.....	211
——May Be Removed.....	129
——May Call Another to the Chair.....	III, 210
——May Put Question Not Made.....	112
——May Put Questions, When Not Seconded.....	15
——May Put Questions, Without Motions.....	210
——"Mouth, Eyes and Ears of Assembly".....	9
——"Naming a Member".....	145
——"Noticing a Member".....	3, 7, 18
——"Overlooking a Member".....	2, 23, 24, 98
——Overlooking Assembly.....	98, 210
——Presumed to be Impartial.....	3
——Putting the Question. [See Forms].....	
——"Recognitions"; How Divided by.....	117
——Recognizing Members. See "Recognitions".....	
——Should Not Argue or Debate.....	111
——Should Yield Even Well-Established Rules.....	155
——Stating the Question. [See Forms.].....	
——Sustained; When Appeal is Tabled.....	179
——Sustained; When Tie-Vote on Appeal.....	38
——To Decide Questions of Order.....	123
——To Shape Incomplete Motions.....	94
——To Suggest Proper Methods.....	125, 155

[See, Also, "Ready-Reference Table," and "Notes."]

Page.

CHAIRMAN—CONTINUED	
——When Autocratic.....	98, 112, 210
——When Called to Order.....	112, 129
——When an Emergency Arises.....	200-211
——When No Quorum Present.....	108, 109
——When Voting as Chairman.....	37, 38
——When Voting as a Member.....	38
CHAIRMAN OF COMMITTEE—See "Committee.".....	
CHAIRMAN OF COMMITTEE OF THE WHOLE—See "Committee of the Whole.".....	
CHAIRMAN DURING INFORMAL CONSIDERATION—See "Informal Consideration.".....	
CHANGING ENTRIES—See "Minutes.".....	
CHANGING VOTE—Before Result is Announced.....	30, 38
CLAIMING THE FLOOR.....	23
CLASSIFICATION OF MOTIONS—[See Specific Titles.].....	152
——According to Use of.....	285-297
——Incidental. [See Specific Titles.].....	181
——Miscellaneous. [See Specific Titles.].....	212
——Ordinary Main Motions. See "Motions.".....	
——Privileged. [See Specific Titles.].....	196
——Subsidiary; or Secondary. [See Specific Titles.]..	153
CLERK—Adjourning Meeting.....	109
——Enter Notice of Motion to Reconsider.....	44, 203
——Expunge Record. When and How.....	218
——To "Put the Question," When.....	129
——To Record Facts, Not Opinions.....	13, 219
——To "Take Down" Disorderly Acts.....	147
——To "Take Down" Disorderly Words.....	135, 146
——To "Take Down" Motions; When.....	7, 8
——What Not to be Recorded.....	13, 219
——When Not to Vote for Assembly.....	32

[See Also, "Ready-Reference Table," and "Notes."]
Page.

CLERK—CONTINUED	
——When to Read Communications.....	278
——When Not to Read Communications.....	278
CLOSING—Debate. See "Debate"	
——Meeting. See "Adjournment."	
——Nominations.....	34
——Speeches. See "Debate"	
COMMITTEES	245-250
——Appointment and Selection of	245
——Assemble. Conference to Precede Agreement....	246
——Chairman of; How Selected.....	246
——Discharge of; Effect.....	250
——Disorderly Conduct in; to be Reported.....	248
——May Exclude Other Members.....	247
——Preparation of Report.....	248, 251, 260
——Proceedings in.....	247
——Proceedings Not to be Reported.....	113, 248
——Quorum.....	247
——Report of. See "Reports".....	
——Sub-Committees.....	248
COMMITTEE OF THE WHOLE	261-267
——Avoiding a Report.....	267
——Chairman of, When and How Designated.....	262
——Consideration of Measures.....	264
——Disturbance in.....	267
——Duties and Powers.....	261
——"Passed in Committee".....	264
——Proceedings and Motions in.....	262, 263
——Reports of. How Made.....	266
——Reports of. Proceedings on.....	266
——"Rising," and Reporting.....	265
——Special Rules, Provided by Assembly.....	263
——To Resolve Into.....	261

[See, Also, "Ready-Reference Table," and "Notes."]

Page.

COMMITMENT.....	163-165, 240-244
—Abuse of	243
—Cannot Be Postponed Because More Direct.....	164
—Includes Measure and Adhering Amendments.....	163, 241
—May Include Instructions to Committee.....	163, 242
—Motion "that Committee Be Appointed to—," Not.	164
—Purpose, and Benefit of.....	240
—Remedy for Abuse.....	244
—To Committee: "Referred," or "Committed".....	240
—To Committee, a Second Time: "Re-Committed".....	240
—To Mover (Not Withdrawn): "Referred Back"...	240
COMMON ERRORS.—In Reports	259
COMMUNICATIONS—See "Petitions.".....	
CONCUR—To Agree. Conference Report motion.....	281
CONDEMNATION—Substituted for Praise.....	95
CONDITIONAL TABLING.....	179
CONDONEMENT—Of Disorderly Conduct.....	150
CONSIDERATION.....	2, 20, 62
—By-Laws, etc., by Sections.....	238
—By Paragraphs.....	238
—Informal. See "Informal Consideration.".....	
—Methods of. See "Methods of Consideration."...	
—Motions to Defer.....	292
—Motions to Resume.....	296
—Motions to Suppress.....	289-290
—Objection to. See "Objection to Consideration."..	
CONFERENCE REPORT MOTIONS.....	279, 284
—Procedure.....	279
CONTEMPT—See "Questions of Order.".....	
CONTRADICTORY—Amendments Permitted	47
—Motions Ruled Out.....	79

[See, Also, "Ready-Reference Table," and "Notes."]

	Page.
CONTROL OF MOTION.....	15
CONVENTION—See "Assemblies," and "Organization."....	
CORRECTIONS—By Assembly. See "Minutes".....	
——In Form of Motions. By Chairman.....	94
CROCKER'S RECORDING RULE.....	220
CREDENTIALS—See "Organizations."	
DATES—Blank; in Skeleton Motions. See "Blanks".....	79
DAY CERTAIN—See "Adjournment.".....	
——See "Definite Postponement.".....	
DEBATE—[See Table.].....	114, 122
——Adopt Motions Regulating.....	236
——By Mover, Seconder, or Committeeman.....	117
——Defer. Motions to	292
——Dividing Recognitions.....	117
——General. [See Table.].....	
——Improprieties in. See "Questions of Order".....	
——Informal Remarks and Explanations.....	115, 118
——Interruptions. See "Interruptions.".....	
——Limited. [See Table].....	119
——Methods. See "Methods of Consideration".....	
——Motion to Precede.....	114
——Motions to Suppress.....	289-291
——Names. How Used in.....	4, 5, 127
——No Member to Speak but Twice.....	115
——Opening and Closing Speeches.....	117, 119
——Personalities; Gross. See "Questions of Order".....	
——Personalities. Use of Names, etc.....	127
——"Recognized." Member Must Be.....	3, 4, 18
——Reference to Other Assemblies.....	127
——Regulating. See "Methods of Consideration.".....	
——Speeches Confined to Pending Motion.....	119
——Suggestions; by the Chair.....	116

[See, Also, "Ready-Reference Table," and "Notes."]
Page.

DEBATE—CONTINUED	
——Suggestions. See "Parliamentary Suggestions"....	
——When Confined to Certain Members.....	125
——When Time Not Limited.....	114
——When Time of Member "Divided".....	121
——When Time of Member Extended.....	115
——Yielding the Floor.....	121
——See "Committee" and "Committee of the Whole"...	
DECORUM	110-113, 126-130
——Chair to Preserve Order.....	113, 116
——Depends Largely on Surroundings.....	110
——Disorderly Conduct. "Naming a Member".....	145
——Punishment for Gross Indecorum.....	147
——Reference to Other Assemblies.....	127
DEFER ACTION—Motions to	292
DEFINITE POSTPONEMENT	165-167
——Abuse of.....	273
——Applies to All Debatable Motions.....	165
——Is Debatable. Subject Is Not.....	166
——When Not in Order. [See Table].....	167
DILATORY MOTIONS	97-99, 203
——Chair to Ignore Member Making.....	98, 203
——Repeated Appeals to be Ignored.....	98
——"Tom." Reed's View.....	99
DELAYED BUSINESS—See "Business."	
DELEGATES—See "Organizations."	
DISAGREE—To Non-Concur. Conference Report Motion ..	281
DISCHARGE—See "Committee."	
DISCIPLINE—See "Questions of Order,"	
DISCLAIMER—Of Acts, or Words	145
DISMISSAL—Of Contempt Proceedings	148

[See, Also, "Ready-Reference Table," and "Notes."]	Page.
DICTATORIAL POWERS—Chair Should Not Assume.....	98
——Exception in Case of Flagrant Abuse.....	98
——Should Be Used in An Emergency.....	112, 211
DISORDER—Chair to Suppress.....	107, 145
DISORDERLY CONDUCT—See "Questions of Order,".....	145
——In Committee	248
——In Committee of the Whole	267
DISSOLVE ASSEMBLY—See "Adjournment".....	
DIVISION OF THE ASSEMBLY—See "Voting".....	
DIVISION OF THE QUESTION.....	160-162, 230
——Applies to any Motion, Properly Divisible.....	162
——General Features of Amendment by Division Apply	161
——Purely Incidental, but "Treated as an Amendment,"	160
——Often Inadvisable	79
——In Rare Cases, May be Amended.....	161
——When Not to be Made	76
——What Motions Not Divisible. [See Table].....	
DOCUMENTS—See "Reading Papers," etc.....	
DUTIES OF OFFICERS—See "Chairman," and "Clerk".....	
DUPLEX-MOTIONS—"Two at a Time,".....	230
——Main Motion and Division of Assembly.....	234
——Main Motion and Previous Question.....	233
——Main Motion and Roll-Call.....	233
——Reconsideration and Lay on the Table.....	231
——Reconsideration and Previous Question.....	232
EJECTION—Of Disorderly Persons.....	107
ELECTION—See "Ballot," and "Voting,".....	
EMERGENCY—Chairman to Act.....	203, 209
——May Adjourn Assembly	209
——Motions. Very Highly Privileged.....	209
——When Reconsideration is One.....	214

[See, Also, “Ready-Reference Table,” and “Notes.”]

Page.

ELIMINATION—Striking Out. See “Amendment by —,”..

ERRORS—Common in Reports 259

——In Form of Motion. Chair to Correct..... 94

——In Records. See “Minutes”

ENTRIES— In Minutes. Not to be Changed..... 221

ENGLISH COMMONS—Voting Rules in.....28, 174, 175

EXPERTS—See “Opinions of Experts,”.....

EVIDENCE—Record, is the “Best”..... 220

——“If Not on Record, Did Not Occur,”..... 148

EXAMPLES—[See Forms and Illustrations].....

EXPEDITE BUSINESS—Motions to..... 288

EXPLANATION—In Debate115, 118

——In Introducing Motion..... 6

——Not of Point of Order 125

——Of Vote of Member 120

——Personal. See “Personal Explanations”.....

——When Privilege of Debate Exhausted..... 118

EXPULSION—For Disorder 147

EXPUNGING RECORD—See “Minutes” 218

EXTENDING DEBATE—See “Debate,” and “Methods,”.....

FACTS—To be Recorded. See “Minutes”.....

FAVORITISM—Chair Should Not Show..... 111

FILIBUSTERING—See “Dilatory Motions”.....97-99

FILLING BLANKS—In Skeleton Motions. See “Blanks,”.79-85

“FIRST UP, FIRST RECOGNIZED”..... 3

FIXING TIME—See “Adjournment,”.....

FORCED ON RECORD..... 40

FORMS—[See Forms and Illustrations].....

FORM OF MOTION—Chairman to Correct..... 94

[See, Also, "Ready-Reference Table," and "Notes."]
Page.

FLOOR—See "Obtaining the Floor".....	
——Claiming	23
——How Lost.....	121
——Take Member Off	199
——When Deprived of.....	22
FRENCH CHAMBER—Voting Methods in.....	36, 175
GAG-LAW—Better than "Mob-Law".....	112, 233
GENERAL ORDERS—See "Orders of the Day".....	
GENERAL PARLIAMENTARY LAW—[See Introduction].....	
GERMANE—Amendments Must Be.....	47, 94
GRAND OFFICERS—How Spoken of.....	5
"GUERRILLA WARFARE"	112
GOING INTO COMMITTEE—See "Committee of the Whole"	
HIGHER LAW—Governing Assemblies.....	274
HOSTILE AMENDMENTS.....	95, 97
IGNORED—Member Should Not Be.....	3, 7, 15
——When Member Should Be.....	98, 203
——When Not Voting	28
——When Assembly Should Be	98
——Rights of Member; When He Is.....	7
ILLUSTRATIONS—[See Forms and Illustrations.].....	
IMPROPRIETIES—See "Breaches of Order".....	
——To Allude to Committee Proceedings.....	127
——To Question Previous Act of Assembly; When....	127
——To Arraign Another Assembly.....	127
INCIDENTAL MOTIONS—[See Specific Titles.].....	181
INCOMPLETE MOTIONS—Chairman to Correct.....	94
——Blanks in. See "Blanks,".....	
INCONSISTENT—Amendment May be.....	47
INDECORUM—See "Questions of Order".....	

[See, Also, “Ready-Reference Table,” and “Notes.”] Page.

INDEFINITE POSTPONEMENT—[See Table].....	156
——Applies to Main Motions Only.....	156
——Effect of; Whether Adopted or Lost.....	157
——In Order, After Amendments Are Disposed of....	156
——Rule of Debate on.....	157
——While Pending, Cuts Off Amendments.....	157
INFORMAL BALLOT—See “Ballot”.....	
INFORMAL CONSIDERATION—Chairman Presides.....	268
——“Amend” and “Adopt” Only Motions Used.....	268
INQUIRIES—See “Parliamentary Inquiries,”.....	
——See “Questioning Officials,” etc.....	
INSERT—See “Amendment by Addition”.....	
INSIST—Conference Report Motion.....	281, 283
INTERRUPTIONS—See “Questions of Order”.....	
——Member Speaking, to Be Protected.....	128
——Calling for “Question!” Highly Improper.....	128
——May be Interrupted by Point of Order.....	10
INSTRUCTIONS—See “Committees”.....	
INTRODUCTION OF BUSINESS—See “Business,”.....	
JOURNAL—See “Clerk” and Minutes,”.....	
LAY ON THE TABLE—[See Table].....	176-180
——Abuse of Motion.....	176
——Applies to Main Motion, while Previous Question Pending.....	178
——Tables All Adhering Motions.....	176
——Tables No Non-Adhering Motions.....	176
——Sustains Chair, When Applied to Appeal.....	179
——Until a Certain Time. Not in Order.....	179
——See “Duplex-Motions”.....	
LAY ON THE TABLE, SUBJECT TO CALL.....	179
——Any Member May Call it Up.....	179

[See, Also, "Ready-Reference Table," and "Notes."]

	Page.
LEAVE—To Explain	115, 118
——To Make Personal Explanation.....	138
——To Speak, After Debate is Closed.....	119
——To Speak, After Indecorum	146
——To Speak, After Time Exhausted.....	118
——To Withdraw Motion.....	95
LEGAL ASSEMBLIES—Lodges, etc. See "Assemblies."....	
LEGITIMATE ABUSE—Of Amendatory Motions.....	95
LIMITED DEBATE—[See Table.].....	
——Must Close Promptly, Unless Time Extended....	119
LIMITING DEBATE—See "Methods of Consideration.".....	
LOSING THE FLOOR.....	126
MAIN MOTION—Ordinary.....	1
——Privileged.....	191
——Tabled, When Amendments Are.....	176
——When Not Affected by Previous Question.....	168
——Why "Put" as an "Amended Motion".....	73
——See "Debate," "Methods," and "Motions".....	
MAJORITY—See "Quorum" and "No Quorum.".....	
——See, also, "Reports" and "Voting".....	
MAJORITY RULE—See "Two-Thirds" and "Voting.".....	
MAKING A MOTION.....	5
MELVILLE'S INQUIRY RULE.....	143
MEASURE—Same as "Main Motion.".....	
——Motions to Suppress.....	287
——To Introduce.....	285
MEETINGS AND SESSIONS—Distinction.....	201
——See "Adjournment," and "Assemblies.".....	
MEMBERS—Disorderly. See "Questions of Order".....	
——Names of; Not Used in Debate, etc.....	45, 127
——Not to Oppose Their Own Motions.....	116

[See Also, “Ready-Reference Table,” and “Notes.”] Page.

MEMBERS—CONTINUED	
——Not to Vote, When Personally Interested.....	134
——See “Debate” and “Questions”.....	
——See, also, “Suggestions” and “Not Voting.”.....	
METHODS OF CONSIDERATION	20, 62, 234-239, 287
——By Paragraphs.....	238
——Closure of Debate.....	237, 289
——Deferring Debate.....	237, 285
——Extending Time for.....	237, 287
——Fixing Time for. See “Definite Postponement.”..	
——In Exceptional Cases, Two-Thirds Vote.....	238
——Informal.....	237, 296
——Limiting Time for.....	234, 235
——Motions Dividing Time.....	237
——Motions Regulating Debate.....	236
——Opinions of Experts.....	235
——Regulating Debate.....	237, 285-290
——Requires a Majority Vote Only.....	236
——Right to Close Debate, Unquestioned.....	236
——Time Divided Between Friends and Opponents....	237
METHODS OF VOTING—See “Voting Methods”.....	
MINORITY—When Perverse	97-99, 295
MINORITY REPORTS—See “Reports”.....	
MINUTES—See “Clerk.”.....	218-222
——Adoption or Approval of.....	219-221
——Adoption, Without Reading.....	219
——Amending, or Correcting.....	221
——Amendments Not to be Interlined.....	220
——Amendments to be Noted on Margins.....	220
——Assembly Bound By. “Best Evidence”.....	219
——Crocker’s Recording Rule.....	220
——Entries, Regardless of Facts. When.....	205

[See, Also, "Ready-Reference Table," and "Notes."] Page.

MINUTES—CONTINUED	
——Essential Facts Only, to Be Recorded.....	219
——Expunging, Annulling and Rescinding.....	218
——Facts Must Not be Distorted.....	219
——Facts to be Recorded.....	13, 219
——How Corrected, When Too Late to Reconsider....	221
——Member Cannot be Disciplined, if Facts Omitted...	220
——Not to be Mutilated or Changed.....	221
——Not to be Recorded; What.....	13, 150, 221
——Not to Go Behind the Record.....	220
——Notice of Reconsideration, Entered Without Motion	44, 203
——Reed's Recording Rule.....	13
——Too Late to Record.....	148
MISCELLANEOUS MOTIONS—[See Specific Titles.].....	212
"MOB-LAW"—Inferior to "Gag-Law".....	112
MODERATOR—Same as "Chairman".....	
MODIFICATION OF MOTION—By Assembly.....	46, 47, 287
——By Mover.....	15
——Second May Be Withdrawn.....	15
——Motions Designed for.....	287
MODIFIED RULES—Boards, etc.....	42
MOTIONS—[See Specific Titles; and Table].....	
——Absurd, Irrelevant or Redundant.....	10, 93
——Abuse of.....	93, 285
——Amendatory. See "Amendatory Motions.".....	
——Classified. [See Specific Titles.].....	152
——Closing Debate. See "Methods.".....	
——Completed. One Having No Blanks.....	85
——Conference Report.....	279
——Consideration. See "Methods of.".....	
——Contradictory.....	79

[See, Also, “Ready-Reference Table,” and “Notes.”] Page.

MOTIONS—CONTINUED	
——Control of.....	15
——Deferring Action. See “Methods.”.....	
——Deferring Debate. See “Methods.”.....	
——Dilatory. See “Dilatory Motions.”.....	97
——Entire. Need Not be Stated.....	17
——Equivalent. Mere Change of Words, Unchanged..	2
——Emergency.....	209
——Extending Debate. See “Methods.”.....	
——Form of. Chairman to Correct.....	94
——How Made, Stated and Put. [See Forms.].....	
——Incidental. [See Specific Titles.].....	181
——Informal Consideration of. [See Same.].....	
——Insulting or Obnoxious.....	11
——Limiting Debate. See “Methods.”.....	
——Must Comport with Purpose of Assembly.....	2
——Not Necessary. When.....	210
——Objection to Consideration of. [See Same.].....	
——“One Thing at a Time”.....	2
——Oral and Written.....	8
——Other Motions Applicable, or Not. [See Table.]	
——Privileged. [See Specific Titles.].....	192
——Purposes and Uses of.....	2, 10, 285-297
——Quorum Required for Consideration of.....	108
——Quorum, When Not Necessary.....	109
——Reconsideration of. See “Reconsideration.”.....	
——Regulating Debate, etc. See “Methods.”.....	
——Seconding of; When Required. [See Table.].....	
——Skeleton. See “Blanks.”.....	79-85
——Subsidiary. [See Specific Titles.].....	153
——Suggestions Relative to.....	18, 84, 155, 162
——Suppressing Action or Debate.....	287, 290
——Unusual. Require Two-Thirds Vote.....	226
——“What is Done Must Stay Done!”.....	76

[See, Also, "Ready-Reference Table," and "Notes."]
 Page.

MOTIONS—CONTINUED	
——When Amendable, or Not. [See Table.].....	
——When in Order, or Not. [See Table.].....	
——When Debatable, or Not. [See Table.].....	
——When Vote to Table Is Lost.....	180
——Withdrawal of. See "Withdrawal.".....	
——Yielding Floor for. See "Yielding Floor.".....	
NAMES—In Skeleton Motions. See "Blanks.".....	79
——Not Used.....	4, 5, 127
NAMING A MEMBER—For Discipline.....	145
NEGATIVE AMENDMENTS—See "Use of Word Not".....	
NOMINATIONS—Closing	34
——Informal Ballot. Improper	35
NOT VOTING—Members; May Vote, When.....	30
——Not to Be Counted.....	28
——Record of Members.....	40
NO MOTION NECESSARY—When.....	210
NON-CONCUR—To Disagree. Conference Report Motion.	281
NOTICING A MEMBER.....	3, 7, 18
NO QUORUM—Can Adjourn or Take Recess.....	109, 208
——One Member Can Adjourn.....	109
——When Lodge Officers or Members Dilatory.....	110
——When Rule Fixes Waiting Limits.....	110
OBJECTION.....	6, 10, 25, 30
——By One Member, Sufficient.....	25
——When None; Silent Assent.....	25
——See "Questions of Order".....	
OBJECTION TO CONSIDERATION—[See Table.].....	11, 182
——Assembly Protected By.....	182
——Before Other Motion or Debate.....	183
——Easily Abused, by Wasting Time.....	183

See, Also, "Ready-Reference Table," and "Notes." Page.

OBJECTION TO CONSIDERATION—CONTINUED.....	
——Not to Be Recorded.....	13
——Not Apply to Incidental Motions.....	183
——Nor, to Privileged Motions, Unless Grossly Offensive	183, 193
——Nor to Subsidiaries, Except Amendments.....	183
——Object of.....	11
——Requires a Two-Thirds Vote.....	182, 227
——Sometimes Applies to Dilatory Motions.....	183
OBTAINING THE FLOOR.....	11
——Before Motion or Debate.....	3, 114
——When Unjustly Deprived of It.....	22, 23
OFFENCES AND PENALTIES—See "Questions of Order"....	
OFFICERS—See "Assemblies," "Chairman," and "Clerk"....	
OFFICIAL TITLES—Use of.....	5, 111
"ONE THING AT A TIME"	2
ORAL AND WRITTEN MOTIONS	7, 8
ORDER OF BUSINESS—See "Business".....	
ORDER—See "Questions of Order".....	
OPINIONS OF EXPERTS—[See Introduction.].....	
——Ainsworth	xii, 60, 86, 99, 151, 175, 250
——Barclay	21
——Blaine.....	183, 196
——Branch.....	22, 108, 123, 204
——Burleigh.....	131, 230, 277
——Chapman	284
——Colfax.....	44, 144
——Crocker.....	29, 99, 130, 200, 220, 222
——Crisp	269
——Cushing	I, 137, 197
——Grey.....	28, 92, 151, 196
——Harold	320

[See, Also, "Ready-Reference Table," and "Notes."]
Page.

OPINIONS OF EXPERTS—CONTINUED	
—Harvell	229
—Hatsell	37, 122
—Hayford	190
—Henderson	297
—Jefferson	15, 53, 54, 68, 122, 130, 145, 167, 175, 184, 191, 250, 269
—Mansfield	260
—May	9, 53, 60, 76, 144, 276
—McGregor	297
—Melville	143
—Norton	320
—Onslow	270
—Palgrave	92, 151
—Payne	53, 130, 159, 260
—Peters	291
—Reed	13, 16, 36, 39, 66, 86, 99, 100, 114, 122, 130, 137, 144, 149, 160, 161, 167, 171, 173, 217, 235, 240, 258, 261, 269, 275, 284, 356
—Roberts	40, 51, 52, 60, 67, 86, 87, 93, 122, 130, 144, 151, 167, 171, 176, 183, 211, 221, 227, 229, 239, 245, 250, 251, 259, 297, 356
—Shattuck	xvi, 292
—Smith	152, 212, 227
—Thomas	269
—Waples	36, 45, 46, 60, 67, 135, 168, 207, 210, 235, 284
—Warrington	285
—Wilson	175

ORDERLY PROCEDURE—See "Debate" and "Decorum"

ORDERS OF THE DAY	193, 194
—Calling Up	194
—General Orders [Unfinished Business.]	194, 196
—Special Orders. See "Special Orders."	

[See, Also, “Ready-Reference Table,” and “Notes.”]

Page.

ORDINARY MAIN MOTION—See “Main Motion”.....	
ORGANIZATION—See: “Assemblies”	102-107
——Double. Temporary and Permanent.....	104-107
——Dual, or Legislative. [See Introduction.].....	
——Simple, or Single. No Credentials Required.....	102
OBSTRUCTING BUSINESS.....	98
“OVERLOOKING”—A Member.....	2, 23, 24, 98
——Members Making Dilatory Motions.....	98
——When Entire Assembly Ignored.....	210
PAPERS—See “Reading Papers”.....	
PARAGRAPH RULE.....	90
PARAGRAPHS—See “Consideration” and “Division”.....	
PARLIAMENTARY INQUIRIES.....	126, 142
——Melville’s Inquiry Rule	143
——Relative to Course of Business, etc.....	143
PARLIAMENTARY LAW—[See Introduction.].....	
PARLIAMENTARY SUGGESTIONS.....	18, 84, 155, 162
——Aid in Expediting Business.....	18
——Not Motions, but Permitted.....	18, 86
——Under Control of the Chair.....	19
PAST OFFICERS—How Spoken of	5
PAST-OFFICIAL TITLES—Use of	5
PAUSES—Why Made in Putting Questions.....	24
PENALTIES—For Disorderly Conduct.....	147
PERMANENT ORGANIZATION—See “Organization”	
PERSONAL EXPLANATIONS.....	138, 139
——If Objection Made, Rules Suspended.....	138
——Not to Be Argumentative.....	139
PERSONALITIES—See “Debate,” and “Questions of Order.”	
PLACE OF MEETING—See “Adjournment”.....	

[See Also, "Ready-Reference Table," and "Notes."]

	Page.
PETITIONS AND COMMUNICATIONS.....	277-279
—— Remonstrance ; Not a Petition	278
—— When Received, Read, and Not Read.....	277
PLURALITY—See "No Quorum," "Quorum," etc.....	
POINT OF ORDER—Same as Question of Order.....	
POSTPONE—Action or Debate. Motions to.....	292
—— See "Definite" and "Indefinite Postponement".....	
PRAISE—Substituted for Censure.....	95
PREAMBLE	162
PRELIMINARY ORGANIZATION—See "Organization".....	
PRELIMINARY REMARKS—See "Explanations"	
PRESENT AND NOT VOTING.....	40
PRESIDING OFFICER—See "Chairman"	
PREVIOUS QUESTION—[See Table.].....	168-175
—— Call, Stating, and Putting.....	169
—— Cuts Off Amendments or Debate.....	168
—— Effect of on Appeal.....	171
—— English "Closure Rule" and "Previous Question".....	174
—— Execution of Order for.....	170
—— Majority Vote Sufficient.....	171, 228
—— May Be Limited to One or More Motions.....	168
—— May Be Moved on an Appeal.....	171
—— Reed and Robert Disagree.....	171
—— Used by Friends and Foes	291
—— See "Duplex Motions"	
PREVAILING SIDE—May Be the Minority.....	43
PRINCIPAL MOTION—Same as Main Motion.....	
PRIORITY OF BUSINESS—See "Business".....	
PRIVILEGE—See "Questions of Privilege".....	
—— Assembly Sole Judge of.....	200
PROPOSITION—Subject-Matter of Motion.....	1

[See Also, “Ready-Reference Table,” and “Notes.”]	Page.
PRIVILEGED MOTIONS—[See Specific Titles.]	191
—Because of Special Urgency	191
—Classified	192
—Give Way to Special Order, Generally	193
—May Interrupt Member or Measure	191
—Objection to Consideration Seldom Applicable to	193
—Question of Privilege Has Precedence	193
—When Moved, Subject to Other Motions	193
PROCEED TO CLOSE—Similar to “Adjourn.”	
PROVISO	162
PUTTING THE QUESTION—On Main Motion	21, 22
—On Motion and Amendments	89
PROXY VOTING—Not of Right	37
QUESTION—Same as Motion. See “Motions.”	
—Calling For; Highly Improper	128
—Of Consideration. See “Methods”	
—See “Objection to Consideration”	
QUESTIONING OFFICIALS—Strictly Parliamentary	140
—Grand Lodge Officers; Lodge Procedure	140
—Answers Are Not Decisions	140
QUESTIONS ANSWERED—[See Table.]	
QUESTIONS OF ORDER	7, 112, 113, 123-130
—Always in Order, If Anything Out of Order	128
—Apology, Disclaimer, or Explanation	146
—Appeals. See “Appeals.”	
—Appeal Tabled, Chair Sustained	126
—Cannot Be Amended or Committed	125
—Chairman Should Not Wait For	123
—Decisions on	124
—Determining the Question	146
—How Raised	123, 128
—Improprieties	127

[See Also, "Ready-Reference Table," and "Notes."]
Page.

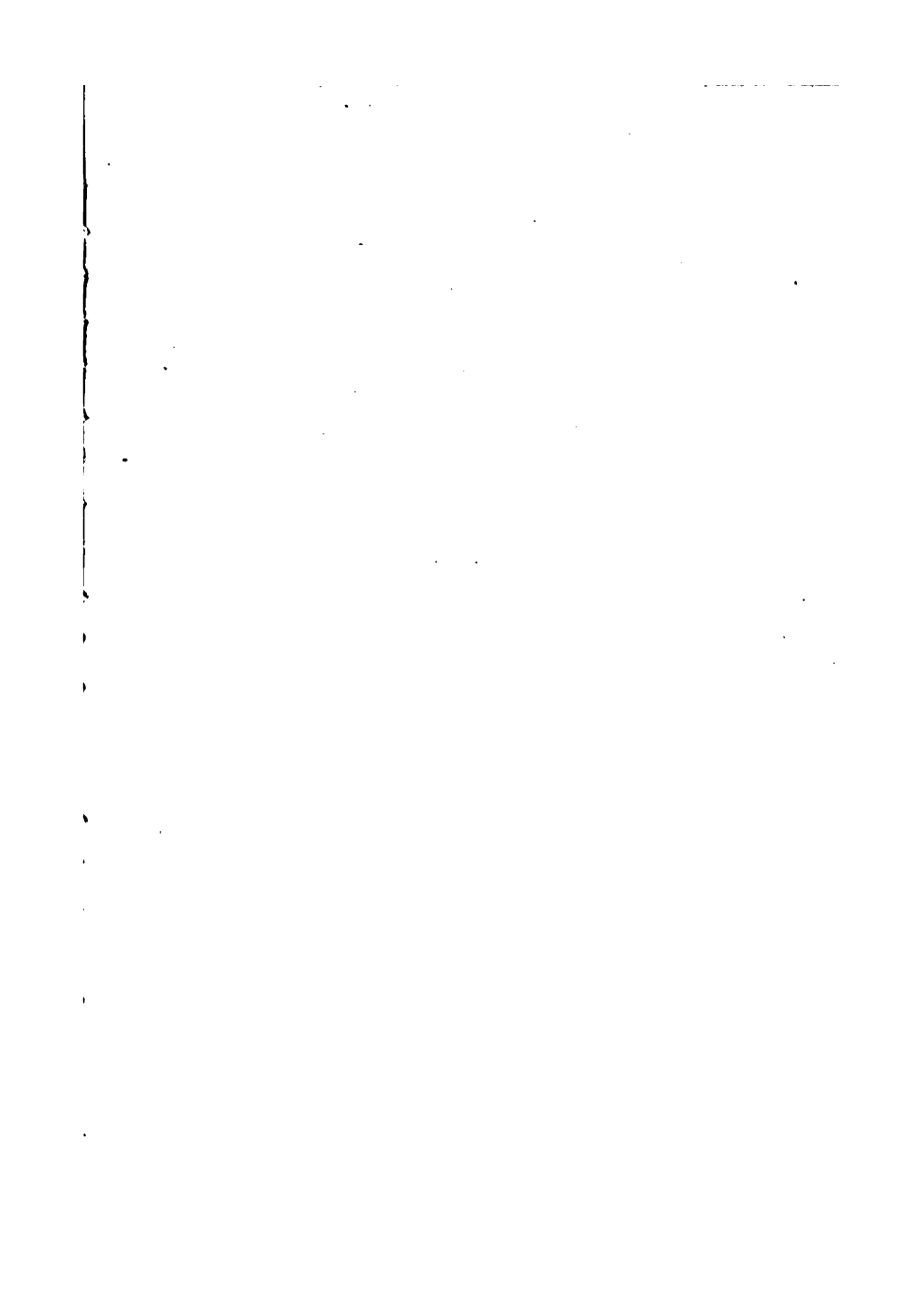
QUESTIONS OF ORDER—CONTINUED	
——Modern Procedure. Assembly Can Protect Itself.	149
——Must Act Promptly, or Offence Condoned.	150
——Naming a Member for Discipline.	145
——Overruled on One Ground, Another in Order.	125
——Offensive Acts or Words "Taken Down".	145
——Postponed. Delays Consideration	126
——Penalty: Reprimand, Suspension, Expulsion.	148
——Personally Interested Members to Retire.	147
——Relating to Decorum. See "Decorum".	
——Relating to Disorder and Discipline.	134, 145-151
——"Shall the Words Stand as Taken Down?"	146
——Tabled. Measure Also Tabled.	126
——Trial-Code Does Not Apply.	150
QUESTIONS OF PRIVILEGE—Assembly Sole Judge of.	201
——Not Strictly Motions.	197
——Proceedings on.	197, 200
QUESTIONS RELATING TO BUSINESS.	141
QUORUM—See "No Quorum".	
——Fixed by Law or Special Rule.	108
——Generally, Those Who Attend.	108
——Majority of, Can Act.	109
——Present, Though Not Voting, Generally Sufficient.	109
——Presumed, Until Question Is Raised.	109
READING PAPERS	184-186
——Congressional Latitude	186
——When Tabled, No Effect on Pending Motion.	186
READING SPEECH.	117, 118
"READY FOR THE QUESTION?"	21
READY-REFERENCE TABLES—At End of Lessons.	
——See, for Answers to Most Questions.	
RECEDE—Conference Report Motion.	281, 282, 284

[See, Also, "Ready-Reference Table," and "Notes."]
Page.

RECEPTION—Of Report. See "Reports".....	
——Of Communications. See "Petitions".....	
REED'S PRESIDING RULE.....	99
REED'S RECORDING RULE.....	13
RECESS—To Take, or to Fix Time For.....	202
RECOGNITION.....	3, 4, 15, 18, 83
——Of Member Presenting Report	117
——When Chair Should Refuse.....	98
RE-COMMIT—See "Commitment"	
RECONSIDERATION.....	43, 212-217
——Briefly Treated	43
——Debatable, if Motion to Be Reconsidered Is.....	215
——Effect of, on Subject Matter.....	44, 213
——Notice of Motion. How and When....	44, 203, 215, 217
——Notice of Motion to Be Entered on Minutes....	44, 203
——Of Main Motions.....	43
——Of Motions Fixing Time for Adjournment.....	204
——Once Only	30
——Peculiarities of	214
——Requires Majority Vote Only.....	216
——What Motions May Be. [See Table.].....	
——When, How and By Whom Moved.....	214, 217
——When Motion Once Reconsidered.....	216
——When Tabled. Cannot Be Taken Up.....	217
——Will Not Apply; When.....	213
——Winning Side Is "Prevailing Side".....	43
——See "Duplex Motions".....	
RECORD—Member Forced Upon.....	30
RECORDS—See "Minutes"	
RECORDER—See "Clerk."	
REFER—Same as Commit.....	
REMONSTRANCE.....	278

[See, Also, "Ready-Reference Table," and "Notes."] Page.

REMOVAL OF CHAIRMAN.....	129
——Whenever Assembly So Decrees.....	129
——Even Though Fixed Term Not Expired.....	129
RENEWAL OF MOTION.....	15, 232
——To Adjourn. When in Order.....	203
——By Seconder, When Withdrawn by Mover.....	15
——To Table	180
REPORTS—See "Committee of the Whole".....	
REPORTS OF COMMITTEES.....	240, 246, 247, 251-260
——Accepting, Approving, or Adopting.....	252
——Action on "Proposed Amendments".....	256
——Action on Reports	254
——Amending	254
——Authorities Quoted	258
——Chairman to Make, Generally.....	247
——Common Errors in Acting on	259
——Form	251
——Majority Determines What.....	259
——Minority May Be Substituted.....	259
——Receiving	252
——Recognizing Chairman of Committee.....	257
——Recommendations	253
——When Three, or More.....	260
REPRESENTATIVE ASSEMBLIES—See "Assemblies".....	
REPRIMAND—See "Questions of Order"	
RESCIND, ANNUL OR EXPUNGE—See "Minutes".....	218
RESOLUTION—Same as Main Motion.....	
RESOLVE INTO—See "Committee of the Whole".....	
RISE—See "Committee of the Whole".....	
ROBERT'S COMMITTEE RULE.....	245
ROLL-CALL—"Yeas and Nays".....	29
——Substitute For	31

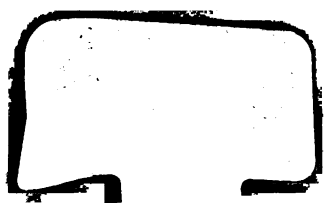


[See, Also, "Ready-Reference Table," and "Notes."]

	Page.
SKELETON MOTIONS—See "Blanks"	79-85
SPECIAL RULES—See "Business," "Debate," etc.....	274
SPEECHES—See "Debate," "Methods," etc.....	
STATING THE QUESTION—General Form.....	16
——After Stating, Property of Assembly.....	15
——Entire Motion Need Not Be Stated.....	17
——Until Stated, Under Control of Mover.....	13
STRIKE OUT—See "Amendment.".....	
STRIKE OUT AND INSERT—See "Amendment.".....	
SUBSIDIARY MOTIONS—[See Specific Titles.].....	153
——Classified.....	154
SUBSTITUTE MOTION—See "Amendment.".....	90
——Fully Recognized.....	90
——Must Be Germane.....	90, 92
——When in Order.....	91, 92
SUGGESTIONS—See "Parliamentary Suggestions.".....	
SUMS—Blank. See "Blanks.".....	
SUPPRESSING ACTION—Motions for.....	287
SUPPRESSING CONSIDERATION—Motions for.....	286
SUPPRESSING DEBATE—Motions for.....	290
SUPPRESSING A MEASURE—Motions for.....	287
SUSPENSION OF RULES—Effect of.....	188, 190
——Amending Rules Not to be Confounded with.....	190
——Cannot Be Renewed on Same Day for Same Measure	189
——"Higher Law" Cannot be Suspended.....	189
——Motion for Which Suspended. How Modified....	189
——Not After Previous Question is Ordered.....	190
——Requires Two-Thirds Vote.....	188, 227
TABLING A MOTION—See "Lay on the Table.".....	
——See "Duplex Motions.".....	

[See, Also, "Ready-Reference Table," and "Notes."]
Page.

UNFINISHED BUSINESS—See "Business."	
UNUSUAL MOTIONS—Require Two-Thirds Vote	227
UNLIMITED—Debate	152
——Motions	192
——Time	115
——See "Committee of the Whole."	
USE AND ABUSE OF MOTIONS—See "Abuse."	
——Privileged	297
——To Annul Former Action	297
——To Defer Action	292
——To Dispose of Part and Consider Balance	296
——To Expedite Business	288
——To Introduce a Measure	285
——To Modify or Perfect	287
——To Resume Consideration	296
——To Suppress Consideration	285
——To Suppress Debate	289
——To Suppress Measure	286
USE OF WORD "Not"—As an Amendment	87
——In Order, When Proposition is Changed	87
——Not in Order, if Proposition Unchanged	87
——Same Rules Apply to All Reversible Terms	88
"USUAL SIGN"—See "Voting."	
VICE-PRESIDENTS—When Chosen	103
VOLUNTARY ASSEMBLIES—See "Assemblies."	
VOTING—Rules Relative to	37, 225
——Announcing Result of	41
——As a Unit	33
——Blank Ballots Ignored	33
——By Ballot. See "Ballot."	32
——By Division of the Assembly	27
——By Proxy	33, 37

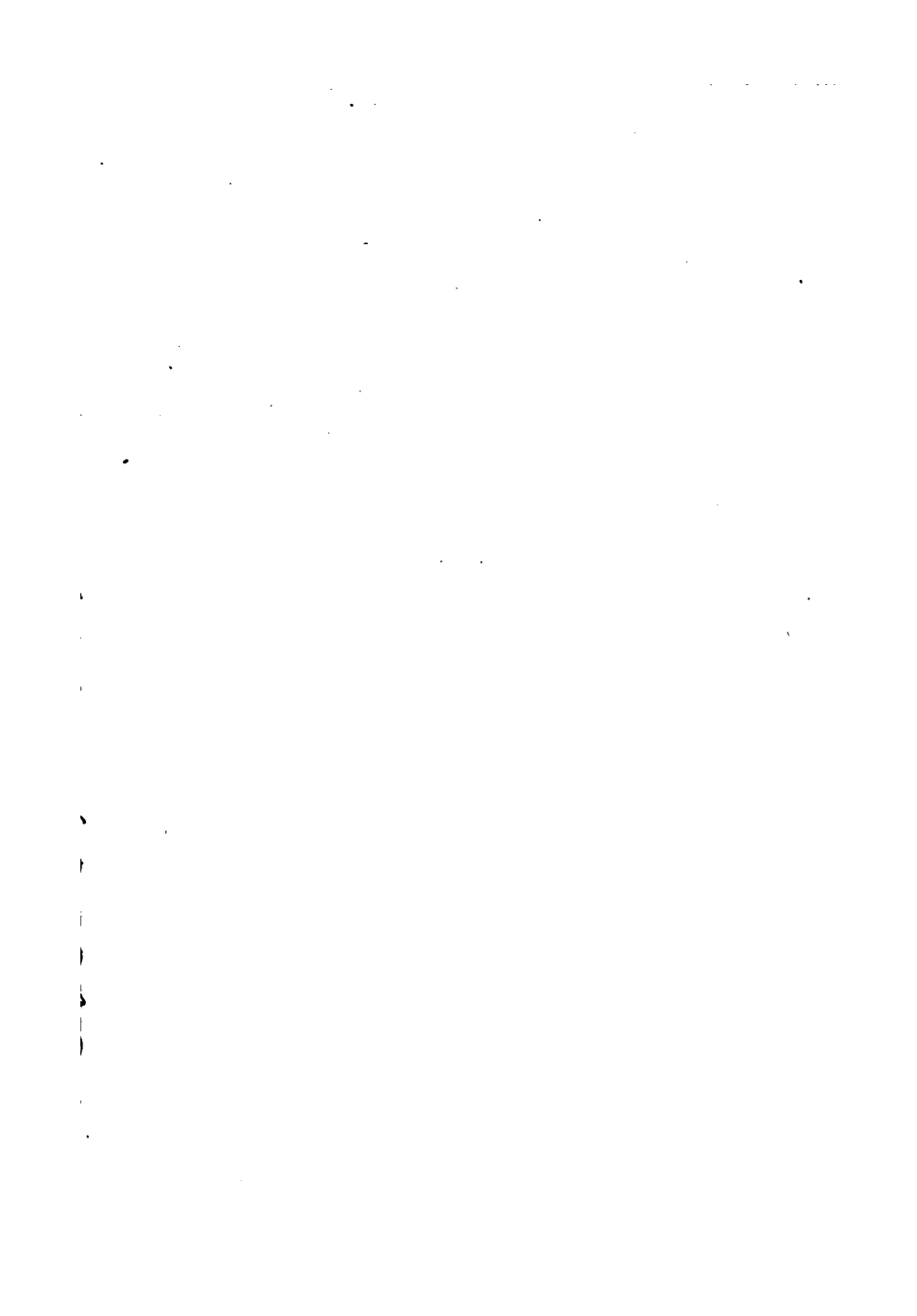


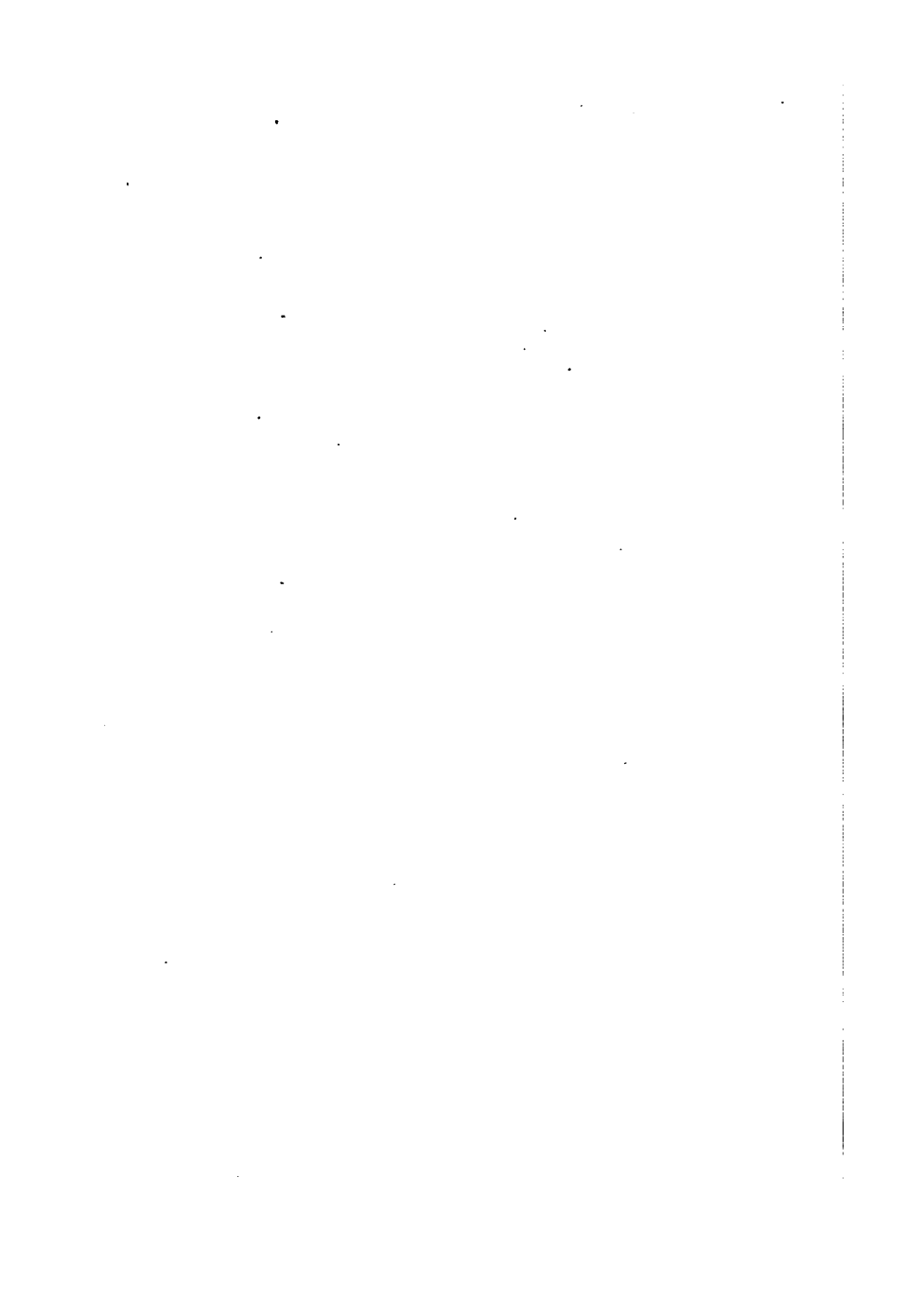
[See Also, "Ready-Reference Table," and "Notes."]		Page.
WITHDRAWAL OF MOTION—By Mover.....		15
——Assembly May Consent to.....		16
——Effect. As Though Never Made.....		188
——No Record to be Made.....		13
——Not After Amendment, if One Objection.....		16
——Not Again Introduced on Same Day.....		16
——Seconder's Consent to, Not Required.....	15,	187
——Seconder's Consent, if Asked, Required.....		187
——When Adhering. No Effect on Main Motion.....		187
WORDS—Disorderly. "Taken Down," by Clerk... 135,	146,	147
——When to be Omitted.....		150
——Inserted. "Must Stay Inserted".....		53
——Struck Out. "Must Stay Out".....		54
——See "Amendatory Motions.".....		
WRITTEN—Motions Must Be, When.....		7
——Routine Motions Not.....		8
YEAS AND NAYS—See "Voting.".....		
YIELDING THE FLOOR.....		120

"The first duty of a presiding officer should always be to do what the assembly wishes; but he must keep in mind those permanent wishes embodied in the special rules, and in parliamentary law. A patient presiding officer, and a good-natured assembly, can do much to confine debate to its proper channels."—REED.

"Whenever a motion has been made and seconded, it is the duty of the chairman, if the motion is in order, to state the question, so that the assembly may know what is before them."—ROBERT.

8
JL





APR 8 - 1930

